Bombay Gazette.

Published Twice a Week.—ON WEDNESDAY AND SATURDAY MORNING.—*Price Rupees 13 per Quarter.*

VOLUME XLVI.] SATURDAY, MARCH 7, 1835. [No. 2,466.

BOMBAY THEATRE.

COMBINATION OF THE GENTLEMEN AMATEURS OF THE BUCKINGHAMSHIRE AND BOMBAY!!

FIRST NIGHT OF AN ENTIRELY NEW FARCE!!!

For the Benefit of the Theatre!!!

On Tuesday next, March 10th, 1835, the Amateurs *will attempt* Morton's much admired Comedy (in 5 Acts), entitled

SPEED THE PLOUGH.

AFTER WHICH (BY DESIRE) A NEW FARCE (IN 2 ACTS) WRITTEN EXPRESSLY FOR THIS OCCASION—BY MR. FREDERIC LAWRANCE,—

Author of "Prediction"—The Lion, "Cure for the Toothache" &c. to be called,

THE KING AND THE CARPENTER!!!

For the Characters represented see small Bills.

Boxes,.. .. .. Rs. 6 | Upper Boxes, Rs. 3
Pit, ... Rs. 4 | Gallery,.. .. Rs. 2

Children above ten years of age—half price.

Half Price—Boxes. Rs. 3 | Upper Boxes, Rs. 2
Pit,..... Rs. 3 | Gallery,..... Rs. 1

No Cards will be taken at the doors.

The doors will open at 6, and performance commence at 7 precisely.

Half Price at 9 o'clock

Box Office—Open from 10 to 5 daily, where a plan of the house may be seen.

*** No admittance behind the Scenes except engaged in the performance.

*** Early application for tickets is

INDISPENSABLY NECESSARY!!

Vivant Rex et Regina.

GARBONELL'S WINES, &c.

FOR SALE, at the Godowns of Messrs. FRITH, BOMANJEE and Co., the following Wines, of superior quality, viz.

Superior old Sherry from—
Messrs. Carbonell and Son..... ..... Rs. 26 per doz.
Do. old Port do .... 24. do. do.
Do. Claret 1st Growth do " 45 do.
Do. do. do. in Pints do, " 23 do
Do. do. 2d Growth do. " 30 do.

ALSO

The following high flavor'd Rhenish Wines, particularly adapted for the approaching hot weather.

Rheingaur per doz.....Rs, 25
Hoss Joannisberg's (Taefel wine) Vintage 1818 | 19..... " 25.

NESBIT LANE, *7th March*, 1835.

W. AND T. BUCKMASTER TAILORS, and Army Clothiers of London, beg respectfully to inform the Officers of the Army and Navy, and their numerous friends at present resident in India, that they have removed their Establishment from their late residence in Bond Street to more extensive premises, No. 3 New Burlington Street, (3 doors from Regent Street).

W. and T. B., feel great pleasure in availing themselves of this opportunity to return most sincere thanks to their numerous friends for the very liberal patronage they have received in their various departments, and hope from their extensive experience and acknowledged punctuality in attending to orders, as also the advantages which more commodious premises will give them, to insure a continuance; assuring their friends they will use renewed exertions to merit the same.

No. 3 New Burlington Street,
(3 doors from Regent Street,)
LONDON;
and No. 3 Molesworth Street,
DUBLIN.

GOLD FOR SALE.

SOVEREIGNS at Rs. 10½ each, apply to Messrs. RITCHIE, STEUART AND Co.

BOMBAY, *7th March*, 1835.

NOTICE.

ALL Persons having Claims on account of the BALL given at the Town Hall on Thursday last, are requested to send them in without delay to MR. THORNTON, *Police office, Mazagon.*

Bombay, 7th March, 1835.

SALE BY AUCTION.

BECK AND CO.—On Tuesday next 10th instant, will put up for Public Outcry, and sell of chiefly without limit the undermentioned Goods, viz. 500 Pieces of China Floor Matting, China Lacquered Tea Trays, Teapoys, Tea Caddies, real Camphor Wood Trunks, Bamboo Blinds, painted Feather and Leaf Fans, Books of Rice paper Drawings, few copies of the Sacred Annual elegantly bound in velvet, sundry Silver Plate comprising Table, Dessert and Tea Spoons, Table and Dessert Forks, Soup and Milk Ladles, Mustard Spoons &c., Plated Curry Dishes, Butter Pots, Egg Frames, Bottle Stands, Sauce Tureens, Coffee Pots, &c., Argund Lamps cut and plain Glassware, the remains of a batch of Sherry, Port, Claret, and Brandy, sundry other Wines and Liquors, a great variety of useful Household Furniture and at 1 P. M. any vehicles, Horses and other Cattles that may offer.

Forbes Street, 7th March, 1835.

FRESH IMPORTED ARTICLES.

BECK AND CO.—respectfully invite early attention to the undermentioned Choice articles lately received for sale on commission, viz prime Bengal Humps, Briskets, Rounds and Ox Tongues cured by a first rate Calcutta Provisioner, plain and imitation Havannah and Manilla Sigars from an eminent Chinsura Manufacturer, the whole highly meriting attention.

REMOVAL.

NOTICE is hereby given that the Omercary Bakery Office, lately near the Armenian Church, is removed next door to Messrs. BECK and Co's. premises in Forbes Street.

FOR Sale at the Godowns of BECK AND Co., the undermentioned Wines, &c. of unexceptionable quality, vizt :—

Pale and Brown Sherry, at Rs. 20 per doz.
Port..... ....at Rs. 24 per doz.
Lisbon..... at Rs. 12 "
Brandy .... at 15 *a* 18 "
Do. in wood ....at 3½ per gallon.
Jamaica Rum ....at 12 per dozen.
Holland's Gin in cases of 15 large bottles, Rs. 24 per case.
French Liqueurs, of sorts 18 per doz.
Ripe Hodgson's Beer 6 "
Rum Shrub, in pints, 9 "
General Terms—CASH, or a reference for payment.

Forbes Street, 7th March, 1835.

BILLS ON LONDON.

BILLS of the *Royal Bank of Scotland*, at 30 days sight, on THOMAS COUTTS and Co. of London, may be had on application to the undersigned, in setts of £50, £100, £150, £200, £300, and £400, at the Exchange of 1s. per Bombay Rupee, and from parties at Outstations, Remittances on the Civil or Military Pay Offices of Bombay, will be received in payment thereof.

RITCHIE, STEUART & CO.

BOMBAY, *7th March*, 1835.

ON SALE AT THE CIRCULATING LIBRARY.

MEMORI of a proposed new system of permanent Fortification—with the report of a Committee of Engineer Officers appointed by the Master General of the Ordnance, to examine into the proposed circular system of defence—Reply to the Report French Translation of the Memori Plates. Explanation of the Plates, and Plans and Elevations by Professor Bordwine 4to. 1834.. .. .. 15 Rs.

ADVERTISEMENT.

THE undersigned being about to close the accounts of the estate of the late Captain HENRY TUDOR, Free Mariner, deceased, requests that any persons being endebted to, or having claims against the said estate, will forthwith pay their debts and prefer their claims to the undersigned, or to Messrs. OWEN and Co., Bombay.

(Signed) J. CALDECOTT,
Sole Executor and Administrator.

ALLEPPY, *24th Jan.*, 1835.

NOTICE.

THE COMMITTEE intrusted with the management of the "Thanksgiving" voted by the Portuguese Gentlemen resident at Bombay, on the occasion of the re-establishment of order and peace in the Capital of Portuguese India, have the pleasure to announce to the Subscribers and others who may be desirous of being present at the Ceremony, that the same will take place to-morrow at 7 o'clock P. M. in the Church of *Nossa Senhora da Gloria, Mazagon.*

Bombay, 7th March, 1835.

ANNUNCIO.

A commissão encarregada dos arranjos "d'Acçaõ de Graças," votada pelos Senhores Portuguezes residentes nesta Cidade por occasiaõ do restabelleçimento de ordem e soçego na Capital d'India Portugueza, tem oprazer de avizar a todos os Senhores Subscriptores, e quaesquer outras pessoas que quizerem assistir a aquelle Acto, que terá logar amanha Domingo pelas 7 horas de tarde na Igreja de N.S. da Gloria de Mazagaõ.

BOMBAY, 7 *de Março, de* 1835.

WOOLER AND CO., beg to inform the public that in consequence of the Hooly Holiday's taking place on the 14th inst. The sale of Goods advertized by them to commence on the 10th will begin on Monday next, the 9th inst.

Forbes Street, 7th March, 1835.

THE NEW BOMBAY DIRECTORY for 1835, carefully corrected and arranged up to the 31st December 1834. The DIRECTORY contains besides the usual local matter applicable to Bombay, a large portion of historical, statistical and commercial information of a useful nature, chiefly in a tubular form. It is printed on thick China Paper manufactured on purpose and the price is, five Rupees per Copy. Application to be made to the Price Current Purvoes, at the Custom House.

P. C. O., COLABA, *7th March*, 1835.

FOR Sale—60 Dozen of Sneyd's Claret, in six dozen Chests, at 40 Rupees per dozen,—Apply to Mr. THOS. WOODYER, Government House —Parell.

For Passage to Liverpool.

THE fine Ship MARY, Captain TUCKER, will sail on the 15th instant, and has excellent accommodation for a few Passengers. Apply to the Captain on board, or to Messrs. MCGREGOR, EDMOND, and Co.

Tamarind Lane, 7th March, 1835.

For London.

HAS room for about 80 tons of goods, and will positively sail for London the end of next week. The new Coppered Ship GANGES, 500 tons, Captain Ardlie, has excellent accommodation for passengers, and carries a surgeon. For Freight or passage, Apply to Captain Ardlie, or to Messrs. J. AND N. NOWROJEE, Bombay Green.

Bombay, 7th March, 1835.

MR. JOSEPH LABARDENZE DIMINIEUX, begs respectfully to inform the Public that he has brought for sale, a collection of stuffed birds, aquatic animals, and flying blood-suckers, various kinds of snakes, &c. preserved in spirits, and also a quantity of images of the different castes of natives in Travancore, neatly done of wax, in their natural colour and dresses, &c.

Mr J. L. D. will sell them by wholesale or retail, and at moderate prices.

Tamarind Lane, next door to the house of the late Mr. O'Donnell.

BOMBAY, *7th March*, 1835.

TO BE LET.

ONE upper-roomed and commodious House in Nesbit Lane opposite to Messrs. Leggett and Co's. Bakery.

Do. a lower do. next to the Gazette Office.

For particulars, apply to Moroba Sewjee, at the Gazette Office.

FOR SALE.—Marryat's Signals,.....Rs. 2
Respondentia Bonds, each.. .. „ 1
Ships Articles..... „ 1
Policies of Insurance,..... „ 2
Bills of Exchange per set, qrs. 2
Interest Bonds,..... ....„ 2
Bills of Lading..... .....„ 2
Powers of Attorney, each .....„ 2

☞ Orders for Letter Press, and Copper Plate Printing, punctually attended to.

GAZETTE OFFICE, *7th March*, 1835

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Capt, Urquhart, Staff, from Poonah.
Ensign A. W. Beavan, from Do.
Capt. W. Cumming, E. Regt., from do.
Capt. H. Farrell 6th Regt. N. I. from Baroda.
Major Spiller 5th Regt. Poonah.
Ensign W. S. Adams Staff, from Do.
Do. R. C. LeGeyt 5th Regt. from Do.
Lieut. Dalbiac H. M. 4th Dragoon, from Kirkee.
Lieut. W. J. Morr is 9th Regt. from Do.

DEPARTURES.

Lieut. Drummond 11th Regt. to Northern Cockan.
Lieut. Brown 16th Regt. to Surat.
Ensign A. W. Beavan B. E. Regt to Poonah.
Lieut. J. C. Bate Staff, to Do.
Major F. Stalker 19th Regt. to Do.
Captain Macan 6th Regt. to Bhewndy.
Major E. Byne H. M. 4th Lt. Dragoon to Kirkee.
Captain Lloyd artillery to Ahmednugger.
2d. Lt. C. Walker Engrs. to Seroor.
Captain Urquhart Staff to Poonah.

SHIPPING REPORT.

ARRIVALS.

March 3d, French Ship Nimph, L. Dubois, Master from Bordeaux, Oct. 21st 1834.

Do. Portuguese Ship of War Infanta Regent, M. J. Pereira, Master, from Goa, left 21st February.

Passengers,—Jozé da Costa Compos, J. Soarez de Viega, M. Xavier do Rozario, Mr. Caetano Furtado, and R. Morgan.

5th.—The Hon'ble Company's Schooner Shannon, Lt. H. Wafry in command from Socotra 31st Janv. 1835.

DEPARTURES

3rd.—Grab Brig Hamoody, Hussain Cader Nacoda to Malay Coast.

NOTICE.

1. That Thursday, Friday, Saturday and Monday, the 2th, 13th, 14th and 16th instants, being Hindu holy-days the Hooly festival, no business will be transacted at the general treasury on those days.

J. WILLIAMS,
Sub-Treasurer.

Bombay Castle, 4th March, 1835.

NOTICE.

OPIUM MEMORANDUM.

No opium passports have been issued since the last memorandum published under date the 26th ultimo.

J. TAYLOR,
Warehousekeeper.

Bombay, 4th March, 1835.

PACKETS

For the reception of letters by the following ships, are open at this office, and will be closed at 5 P. M. on the day preceding the date of intended departure.

Vessels names.	Date of intended departure.	To what port.	Touching were.
Ship Africanus....	About 8 Inst	London...	uncertain
„ Buckinghamshire.	25th ditto...	ditto....	ditto.
„ Andromache...	about 20th do	ditto....	Cape.
„ Ganges.....	uncertain...	ditto....	uncertain.
„ Mary.....	5th Inst....	Liverpool	ditto.
„ Tropic.....	uncertain..	Clyde....	ditto.
„ John Hayes....	ditto.....	Liverpool	ditto.
„ La Gloire.....	15th to 20th	Bordeaux	ditto.

UNCLAIMED LETTERS.

POST LETTERS.

1 John H. Peart esqr.....Bombay.
1 Captain D. Forbes, care of F. Bouchier esqr..ditto.
2 Lieut. Rdie Atkinson, 19th Madras N. I.....ditto.
1 Lieut. Thomas Joanes, R M. 16th regt. of foot..ditto.
2 Lieut. E. P. Lynch 6th regt. Bombay N. I.....ditto.
1 Lieut. A. Barker Madras European regt. on route to Bombay.....ditto.
1 Mr. G. Rundle, ship Futty Salam.....ditto.
1 Captain J. Scott, Major of Brigade R. H. M. Troops.ditto.
1 Lieut. Foulerton, 1st grenadier regt.....ditto.
1 Corporal John Manly, 4th company 2nd bat. artly.ditto.
1 Davapoorshotumjee Venkteshjee esqr.....ditto.
1 Framjee Dadabhoy.....ditto.
1 Oodowjee Kemjee, cloth merchant.....ditto.
1 Manoel de Mello.....ditto.
1 Cursetjee Pestonjee, Parsee.....ditto.
1 Cursetjee Pestonjee.....ditto.
1 Nowrojee Heerjeebhoy.....ditto.
1 Pascoal Barretto, taylor near Mazagaum.....ditto

F. BOURHIER,
Post Master Genl.

Bombay, 4th March, 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT.

Bombay Castle, 24th February 1835.

No. 100 of 1836.—The following temporary arrangements are confirmed :—

Lieutenant H. Giberne, and second lieutenant T. Gaisford, the former to act as quarter master, and the latter as interpreter to the golundauze battalion, during the absence of lieutenant Cleather.

Lieutenant H. H. Hobson, of the 20th regiment native infantry, to act as line adjutant at Rajcote, during the absence of lieutenant Anderson, on sick certificate to the presidency.

No. 101 of 1835.—The Right Honorable the Governor in Council has been pleased, by a resolution passed in the political department under date the 21st instant, to direct, that lieutenant E. Pottinger, of the artilley, be attached to the irregular horse employed in Cutch, in the room of lieutenant Jackson about to re-join his corps.

Bombay Castle, 27th February 1835.

No 102 of 1835.—Lieutenant W. M. Webb, deputy commissary of ordnance at Surat, is allowed leave of absence from the 25th instant to the 30th proximo, to proceed to the presidency, on private affairs.

No 103 of 1835.—2nd lieutenant C. Walker, of the engineers, is appointed interpreter in the Hindoostanee language to that corps at Seroor, and to have the charge of the bazar at that station; date of appointment, 17th February 1835.

By order of the Right Hon'ble the Governor in Council
E. M. WOOD, Lieut. Col.,
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 26th February 1835.

No. 10 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, that all conductors employed in the marine department, if not previously enlisted men be required to enter into the marine corps, and will on all occasions renew their engagement whenever their contracted periods of servitude may expire in the corps on whose strength they stand, in order that they may be amenable to martial law.

Bombay Castle, 28th February 1835.

No. 11 of 1835.—Captain Brucks, senior Indian naval officer at Surat, is allowed leave of absence from his station for twenty days from the 10th proximo, on private affairs and lieutenant Wells is appointed to perform his duties during his absence.

No. 12 of 1835.—The leave of absence for four months granted to Molobut Khan, the native commander of the schooner Fly, on sick certificate, under date the 30th of October last, is extended for a period of three months on the same account.

Bombay Castle, 28th February 1835.

No. 13 of 1835.—The establishment of lascars for the receiving ship Hastings, is eleven instead of ten, as erroneously specified in the statement of establishments of the Hon'ble Company's ships and vessels of war in the Indian navy, published in general orders dated the 18th of December last.

By order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

CIVIL APPOINTMENTS, &c.

JUDICIAL DEPARTMENT.

Bombay Castle, 2nd February, 1835.

Mr. W. Richardson, assistant judge and session judge in charge of the Ahmedabad court of adawlut, gave over charge of that adawlut on the the 17th ultimo, to Mr. Birdwood, acting assistant judge and session judge of that zilla.

Feerozsha Dhunjeeshah Khan Bhadoor, the native judge of Surat, returned on the 18th ultimo to his station which he had left on the 18th January, under the permission granted to him on the 17th of November last.

JUDICIAL DEPARTMENT.

Bombay Castle, 2nd March, 1835.

The Right Hon'ble the Governor in Council is pleased to notify that the sudder devanee adawlut has issued a commission under date the 16th ultimo, appointing Azim Ambasunker Berijraee, to the situation of junior native commissioner at Bardolee, in the zillah of Surat.

Bombay Castle, 3rd March, 1835.

Bappojee Mascokroy Roy Bahadoor, native judge of Ahmedabad, has been allowed 12 days leave of absence from the 7th instant.

Bombay Castle, 4th March, 1835.

The Right Hon'ble the Governor in Council is pleased to appoint Mr. J. W. Woodcock, acting assistant register to the courts of sudder dewanee and sudder foujdaree adawlut.

POLITICAL DEPARTMENT.

Bombay Castle, 3rd March, 1835.

The cave granted to Mr. J. P. Willoughby, political agent in Kattywar, on the 23rd January last, is extended on sick certificate, in conformity with the regulations.

By order of the Right Honorable the Governor in Council,
C. NORRIS,
Secy. to Govt.

ECCLESIATICAL DEPARTMENT.

Bombay Castle, 26th February 1835.

The Right Honorable the Governor in Council has been pleased to appoint the reverend Ambrose Goode, to be chaplain of Bhooj and occasionally to visit Rajkote, receiving the regulated allowance to cover his expenses.

By order of the Right Hon'ble the Governor in Council,
W. H. WATHEN,
Secy. to Govt.

CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—The editorial remarks upon my letter, which appeared in the last Gazette, betray such an unacquaintance with the subject attempted to be discussed, that they would be undeserving of notice, were it not desirable that all erroneous notions respecting points of military law should be exposed. I shall not however, enter into any reply to those remarks, but merely content myself with pointing out the principal mistake, that appear to me to have occurred in them.

A Commander in Chief is not the proper party to frame charges, for, on a complaint being laid before him, he merely decides whether there are grounds for a trial or not; and if there be, it remains for the party making it to prefer the requisite charges, or these are in some cases framed by the Judge Advocate General or his Deputies. For the correctness or incorrectness of charges the party preferring them, if a private prosecutor, is alone responsible, as it must be self-evident from charges having been so repeatedly declared by the Courts Martial that tried them to be frivolous, or vexatious, or unfounded, or malicious, or preferred from motives of private resentment and not from a regard to the good of the public service.

The prisoner at a Court Martial can make no objections to the charges, except for defects which appear on the face of the charges themselves; and, consequently, it is not necessary that the Court should enter into any previous examination of evidence relative to the circumstances about to be investigated. But if, on the prisoner's showing, it appears to the Court that his objections are well founded, the investigation of the charges cannot be legally entered upon, until the requisite amendment is made in them.

The Code of Military Regulations is not a law book, and it cannot, therefore, be admitted as any authority on this point; and I am still at a loss to understand how the terms *Judge Advocate or any other person* can, by any possible mode of construction, be rendered applicable to a *General Court Martial*. If so, the framer of the Regulations in that code relating to Courts Martial must have treated such a Court with little courtesy in including the President and twelve Members under the undignified word *person*. I, also, observed in my former letter that nothing was to be found in Treatises on military law with respect to how a Court Martial was to proceed when Charges were only partially defective; but there is at the same time nothing in those Treatises which would admit of its being concluded that their writers thought, that it was not competent for the Court to direct charges to be amended if only partially defective. Until, therefore, some authority or precedent is produced which establishes, that in all cases where amendment is required in charges, the consent of the convening authority to such amendment must be obtained before the Court can enter upon the trial of the charges, it certainly appears most beneficial to the public service, and most accordant with the powers vested in a Court Martial, to consider it competent to render charges fit for investigation by amendment without any reference to the convening authority on the subject being requisite.

Of the necessity of the power of partial amendment being vested in the Court for which I contend, no better instance can be given than the 9th Charge preferred against Colonel Valiant. For Lieut. Colonel Dickson having omitted in it the words "false or unfounded" rendered the charge nugatory, as no blame could be ascribed to the commandant or the Garrison for having written the letter specified in it, although it contained expressions injurious to the character of Lieut. Col. Dickson. This was obviously a mere omission, and on the charge being returned to Lieut. Col. Dickson as not admissible in its original form, he immediately inserted the words false and malicious, and thus rendered it a charge of the most serious nature. Had, therefore, Colonel Valiant's trial taken place at Deesa, will it be maintained that the Court Martial should have remained assembled but unoccupied for twenty or more days until the consent of the authority by whom it was convened was obtained to an amendment which was so obviously requisite?

Such an amendment, however, is not a framing of a new charge, but the giving effect to the original one, as it cannot be supposed that a charge would be advisedly submitted to investigation in which there was no offence alleged. It must, also, be evident that for such an alteration no previous enquiry into the circumstances of the case is necessary; for the mere perusal of the charge shews its defectiveness.

The quotation from Tyler's Essay on Military Law contained in the paragraph of your remarks is only one more of the numerous instances in which I have seen such authorities quoted without being understood. In the first part of it the word *prosecutor* is used, and thus partly removes any ambiguity there may be in the term *person* used in the Military Regulations, and confirms the construction that I put upon it in my former letter. In the latter part of the quotation you completely overlook the material word BEFORE—*if any material alteration occurs to be made before trial.* How this, therefore, can apply to a General Court Martial duly constituted, you should have explained; for it is not disputed that the consent of the authority by whom the charge was approved of must be obtained for making any alteration in it BEFORE trial.

But you admit that the authority by whom the Court Martial is convened cannot interfere with its proceedings. It is at the same time undeniable that a prisoner cannot be required to plead to a charge which is obviously defective, and that, if he makes any objections to the charge, the Court must, in its judicial capacity, decide upon those objections. Is not, therefore, the referring this decision to the convening authority an obvious admission that it is competent for such authority to interfere with its proceedings? It is this consideration, and the delay and inconvenience to the public service which such a reference must in general occasion, that alone give this question any importance. For, were General Courts Martial always assembled where Head Quarters were stationed, and were it certain that the convening authority would always agree in opinion with the Court, the submitting, previous to entering on the trial, the amendments required in charges for his approval, would be a mere matter of form and etiquette, which might be as well observed as not. But should a difference of opinion occur, as might possibly happen, I leave you to explain how the Court ought, in such case, to proceed.

You ask for what purpose should charges go through the hand of the Commander in Chief and receive his sanction? simply and solely because he is the only authority by whom General Courts Martial can be convened, and consequently the only authority by whose orders charges can be submitted to such Courts for investigation. But that sanction implies neither approbation nor disapprobation of the charges, nor any opinion with respect to their correctness or incorrectness; and they come before a Court Martial in all essential respects in precisely the same manner that an indictment does before a Court of Justice. The only question, therefore, as remarked in my former letter is, whether defective charges should be at once returned to the convening authority, or whether, if they can be rendered fit for trial by amendment, it is competent for the Court to direct such amendment to be made?—and to this question your lengthy remarks do not give any satisfactory reply.

I am, Sir,
Your obedient Servant,
MILES.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Having received letters by the Schooner "Shannon" dated Socotra the 31st Jany. which mention the great dissatisfaction of the Arab Chief at the landing of the detachment sent from this, and he still persists in his obstinacy &c. he'll not give up the place, neither will he sell it; and there appears to be every sign of a little bloodshed.—Information was received there a little before the "Shannon" left, that there were about 2000 Arabs landed at some part of the Island, armed with Matchlocks, Cutlasses, spears, and bows and arrows. This Mr. Editor, shows a mark of the great danger, that the poor handful of men are encircled by!—And this is not all—Arab Troops were daily expected from a place call'd Kussein (or some such name) and it was supposed would land at some part of the Island where they might not be seen, and on this account one of the cruizers sailed round the Island; but at the time the "Shannon" left nothing extraordinary was to be seen, what must have been the opinion of Government Mr. Editor to send a mere handful of men for the purpose of invading the place? Is it supposed to be put on a par with the British Army at the time of the invasion of the Mahratta Country in the Deccan, when the *sight only* of six armed Soldiers would drive terror like lightening into a thousand of those dastardly Mahrattas, and is it for this, or any other reason that the Arabs should or would be trifled with? Nay, nay, they are too high spirited for this, they are well known for their barbarity. It also mentions that an attack is daily expected, or that it will very probably be some night.—I have often heard talk of that dreadful Massacre at Russulkima when the men were literally *chop'd* to *pieces*, and mangled about like bu chers meat: and pray what else can be expected then? nothing *better* by any means!! What could have been the intentions of Government to send so few men? Surely something more than sleeping or drilling might have been expected, though perhaps it would not be too late *now* to dispatch more troops off by one of the cruizers which might be brought to real use in this way, How gladdened would the poor few be at the sight of assistance when death stares them in the face, and by the aid of a few more hands might accomplish the deed they are sent upon. Better, far better would it be in *every* respect if more soldiers of *some* shape were sent off immediately: it would not only be the means of rescuing those who are now there from literal murder, but would in every measure be of benefit to Govt. Government cannot see the dangers that those poor souls are exposed to so well as those who *are* there. If those persons in whose power it is to despatch more troops there, were they *themselves*, and in such a predicament as those who are exposed to the dangers I speak of, I guarantee they would cry for help and assistance. It would be better, if not as good, to send one by one, and let them be butchered in that way, as to send a few dozen.—If I'm not mistaken there were not *many* more than 100 men sent there, including them in all shapes—and for them to face an enemy consisting of very probably not less them a few Thousands! This Mr. Editor, is literally absurd, but stay, probably those men who were picked out for this expedition were all Goliaths who could take a couple of thousand to one. self, but however, be it as it may, if it is really intended that they should make resistance against such a barbarous, treacherous tribe of cannibals, if they should show fight against the wretches, which by all accounts must be the case, what would be the result? I'm sure it would need no Philosopher to tell it!! No! It would be a deep tragedy play'd, and one played in blood, and would cause the hearts of many to sigh heavily for those who must yield up to their foes, *not* for the want of courage nor spirit, but by being OVERPOWERED by them! for speaking reasonably, there cannot be at the least, less then twenty to one, and then would they spit forth their venom like the serpent, and shew their vengeance in true light, massacre every christian soul on the Island;—take possession of their small portion of arms and Guns* &c. and then would they try some other means of preventing Troops from landing again, which I am of opinion would be found rather difficult—nay more than that they would save them the trouble of landing, by sinking their boats as they would approach the shore—does this not show symptoms, Mr. Editor, of an attack, when the detachment were obliged to take two Guns from the "Shannon" to strengthen their small battery? Think not Mr. Editor that I speak at random;—what I have said may perhaps (if not already proved so) confirm my words. I have what I call a slight insight into this affair, however I shall not comment any further on the subject, but trust that the proper authorities will take this *urgent* and *necessary* case into consideration, and before bloodshed is caused for *nothing*, dispatch the idling "Coote" or "Ternate" with a *sufficient number of Troops* to prove themselves of *use* and assistance to those who are now encompassed by their ravishing enemy, and hourly expected to be butchered by them! —I regret Mr. Editor that I am not abler in my pen to explain my meaning in a clearer way, and should any of your readers fancy their own superior qualification greater, by making remarks on this, though I shall not boast in any measure, perhaps I may honor them with a few lines in answer to it, and for fear of which they had better drop their pen.

In writing the above I must not miss saying a few words on the extreme bad weather they met with going to Socotra by which no damage, I believe was done, either to the Tigris, or "Shannon," but the Bugalow which had most part of the Stores, suffered much from the hurricane which she got into, her spars were all blown away, all her sails blown and split to rags, and by the time she got assistance from the Tigris and Shannon, she had sprung a leak, and had 5 feet of water in her hold; they experienced such weather for three days, and had it not been for the great skill and management of Mr. Dempster the Gunner who commanded her, the whole on board must for a certainty have found a watery Grave; and it is hoped (and I believe is promised him) for his *extreme good skill* and *exertions*, that he will get such promotion as he *justly merits*.

I am Sir, Yours very obediently,
IN DANGER.

6th March, 1835.

P. S. The "Hugh Lindsay" which left this on the 11th January arrived at Socotra on the 21st of that month, and started again for Suez on the 24th ultimo.

* Large Guns such as six or twelve Pounders they have none, their Matchlocks are the only things they have in that shape.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—The present state of affairs in this part of the country is very extraordinary.

We are all out here to keep the peace of the Myhy Cawntah, but whereever we go, we are fired upon. The Ahmednugger men fired upon our troops from 5 o'clock till dark, without the slightest provocation, on which occasion a valuable officer was wounded, and as yet we have not heard of no submission on the part of the aggressors, altho' I believe they are our subjects, for the outrage. Even Mr. Erskine's name, who is the Head Political authority with us, does not seem to have any weight among these rascals, yet he is said to be a man who has great diplomatic abilities, and to have conciliated all natives, whereever he has been employed, in Candeish, Sittara, and the Deccan, and even to have kept in order the Guicowar himself, during his residence at that court. How is this? I fear there is something rotten Mr. Editor. Can all this be from the late arrangements in Guzerat with the Rajah? If so, a certain Lord has much to answer for. I do not understand politics myself, but if such is the case, and if the powers of such an officer can be crippled, the head of the government must be a person of great ability and some mischief.

My Dear Mr. Editor,
your most obedient servant.
AN OFFICER WITH THE FIELD FORCE,
MYHY CAWNTAH.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—With reference to my letter of the 25th ultimo, I beg to announce to the public, that the great Thanksgiving, at the large Portuguese Church, at Mazagon, to which I have therein adverted, is to take place on Sunday next, at 6 o'clock P. M., and that after the church ceremonies are over, which is to be at about 8 o'clock, the exhibition of Fireworks will begin.

That there may be a great eclat in the latter, some of the gentlemen contributors have subscribed in a supplementary List to make up the necessary amount, towards ensuring both that end—and one of the grandest illuminations imaginable.

On a conspicuous side of the Church, an Arch has been erected, on which the Portuguse Arms and the name of the Queen of Portugal are inscribed—and below them, it is intended, to introduce that of the Prefect Senhor Peres—and on each side of it—those of the countries, which are to be under his benign sway—and the whole to be displayed by transparency.

The *Fête* is to be closed by a splendid Supper, which is to be given on that night to the Prefect, by Mr. Augusto the Architect, at which are to be present all the Portuguese patriots here. Mr. Augusto wishing—as it is understood, to avail himself of the occasion, both as being the most appropriate one—and as that of christening a grand-daughter of his, to which the Prefect has consented to do the honor of becoming its Godfather.

I remain, Mr. Editor, your constant reader,
A SUBSCRIBER.

6th March, 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—Had those who were instrumental in framing the present East India Charter, been guided by a very rational rule of adopting no measure which they did not consider likely to be acceptable to the great bulk of the people of that Country, when they shall come to understand clearly their own importance, and the relative nature of the duties of their Government, many of those objectionable clauses, (some of which have been already abrogated,) would not have been introduced into that ordinance.

When the people of India, (as they must ere long,) become acquainted with and comprehend the principles of the British constitution, which are directed to the general welfare and prosperity, they certainly are not likely to choose their position, under the arbitrary rule of any one individual, however meritorious;—and the idea of abolishing the Council of the different governments, as an economical measure, showed a disregard of the welfare of the people, and a want of knowledge of the common routine of business, which requires an administration to act advisedly, and to possess the most full information to enable it to decide appropriately and with discretion, which, as a general rule, scarcely any one individual is equal to; and I may only quote, as an example, the recent discussions between even two collective bodies—the Board of Control and the India Directors—which latter have very judiciously preserved India from becoming, in fact, a pure despotism—a state, unknown to the British constitution, and which no intelligent people would wish to live under.

Having, as you have done, very wisely endeavoured to draw the line of distinction between the principles of a religion and the practice of its teachers,—a distinction, however, which those Teachers are never found to make, else the trade of preaching would soon become obsolete, you will agree with me that the People of India never would have wished to be burdened with the establishment, on this side, of a clerical dignitary, who is likely to be of as much real use to the community at large, as a fifth wheel would be to a four—wheeled waggon. I dare say, had they been asked, whether they would not rather obtain the Bishop's allowances, to improve their country for the ease of their bodies in this exhausting climate than he himself, for the comfort of their souls, there would have been but one opinion in favour of the advantage which was the more obvious to the sense of every rational man, and, as you know something of the rapid improvement of that tract of country, lying north of the Tweed, where there are no Church Dignitaries, I have extracted, for your notice, a passage from Sir T. D. Lander's account of the Morayshire Floods in 1829, which will give some idea of what that province was about the beginning of this century, and what it had arrived at before the destructive period he narrates.

From this passage, you will see, how useful the proposed Bishop's salary, and those of a few other useless offices (such as those of a comptroller of an empty Dock Yard, his assistant, and his establishment,) would prove, in effecting on an extended scale, the improvements which he notices to have been produced in the short space of about a quarter of a century in the County of Moray, and which received little aid from the Government, towards forming good roads and bridges.

ANTIENT PORVINCE OF MORAY.

"With a surface exhibiting every variety of wild and of rich scenery, and possessing an early and productive soil, Moray is blessed with a climate of greater amenity, and proverbially drier than its mere geographical position might warrant its enjoying; and it is a well known fact, that the crops, in its best situations, are always ready for the sickle, nearly a fortnight before those of any other part of Scotland.—But at the period I speak of (1800), or the beginning of the present century,) with all these natural advantages, it was still many years behind the southern parts of Caledonia, so far as regarded most of those things which man could do for it. The great thorough fares, though naturally firm and hard in substance, were unnecessarily winding in line, waving in level, and rough in surface, the cross roads were impassable by any wheeled carriage, except the light carts of the country, rudely constructed, and altogether without iron;—and with the exception of a very few bridges, there were no means of passing the many deep and rapid rivers, but by ferries and fords, always troublesome, and frequently fatal.—Something, indeed, had been done to increase, by the cultivation of a few waste spots, the original quantity of the arable soil for which Moray had been anciently celebrated, and much had been added to the extensive plantations already

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made.—But many of the estates wore a meagre aspect; most of the mansion—houses were poor in external appearance, as well as in their internal accommodation; and although the greater part of them possessed gardens substantially valuable in produce, their environs were, with a few exceptions, utterly destitute of those ornamental accompaniments, which taste now so largely demands from art, for the decoration of a gentleman's residence—In those times, the post from Edinburgh came only thrice a week, and took about three-days and a half to effect the journey—There was no mail—coach, or public coach of any kind, to the north of Aberdeen, and two days, or more were required for posting between Aberdeen and Forres.—In short, the whole complexion and circumstances of the country were such as to show that its' powers were yet asleep.

But its energies were soon awakened, and their strength and rapidity of exertion largely compensated for the length of that slumber, in which they had previously indulged. Magnificent bridges were built over the Spey at Fochabers,—and Findhorn near Forres, the Nairn, and other large rivers. The grand iron bridge of Craigellachie of 150 feet span was projected and executed; and innumerable bridges of lesser importance were constructed. Many piers and harbours, both private and public, were formed,—turn-pike acts were obtained, and the country was every where intersected by great lines of communication; while the ancient parochial roads, hitherto little better than tortuous indications of a primitive track, worn over the undulating surface of the country, which had never been deviated from, since they were first sketched by the sledges that originally discovered them, were now superseded by well—lined and well-constructed highways, and the circulation of the country, being thus quickened by its own exertions, a daily post was established, which, by the gradual improvement of circumstances, ultimately reached Forres in little more than 24 hours from Edinburgh. The mail-coach ran north and south through the province, keeping up a direct line of intercourse between Dover and Wick. Two stage-coaches, one with three, and the other with four horses passed north and south every day, Sunday excepted; and the posting between Aberdeen and Forres soon become easily practicable in 9 or 10 hours. A corresponding improvement in the breed of draught horses, as well as the introduction of a better description of carts, were the natural consequences of these happy changes; whilst the labourers, who had been employed in constructing these roads, gradually acquired a degree of knowledge and skill, which brought the art of road—making, and of executing all other works of the same kind, to the highest perfection.—During the short period I have referred to many wide wastes of unprofitable moorland have been divided among the conterminous proprietors, who had common interest in them, and immediately cultivated or planted them—extensive lakes and morasses have been drained—the sea has been excluded in some places, and rivers have been confined by expensive embankments in others—large tracts of valuable land have been reclaimed from beneath deep depositions of drifted sand, which had buried them, for ages. In short, it would be no easy matter to discover a possession, which had not made some considerable addition to the extent of its useful soil; while many farms and even some estates, would be found, which have doubled the quantity of their arable land—plantations have been increased to an extent almost incredible, and the woods alone, which cover the country, in a manner almost continuous, on either side of the River Findhorn, from Dulsie to the sea, are roughly calculated to amount to 16,000 or 18,000 acres;—handsome mansion—houses have been built by many proprietors, and gentlemen's residences have had all the adornment of ornamental grounds, shrubberies, walks, and drives bestowed on them; in some instances, on a scale not to be paralleled in the more southern parts of the kingdom. But these were not all the felicitous consequences resulting from this powerful spirit of improvement; for the great mass of the farmers, rising in intelligence, as well as in opulence, as they grew learned in agricultural science, and even the industrious cottagers, enabled by their increased skill in labour to earn a more regular, as well as more liberal subsistence, began to participate in the taste, which had already so widely spread itself among the higher ranks.

Morayshire Floods of 1829.

On this side of the Indian peninsula, Mr. Editor, we can only instance the Causeway at Sion, which has opened the Bombay market to the People of Salsette, at an expense, first and last, of about eighty thousand Rupees. You may learn, what that island was before, and see what it has become since, the establishment of this work; and, if general improvement has followed, let us go on, and, no doubt, a similar result may be anticipated.

Will it be believed in England, that the present Governor-General repeatedly badgered this government for having expended a lac of Rupees, in clearing away the barrier at the Bhore Ghaut of four miles, which interrupted the communication between the Deccan and the Koncan, and prevented any carts from passing?—This work was executed about four years ago; and it is now probable that the toll levied has already paid more than half the expense.

Had the India Charter devoted a respectable annual sum for the general improvement of the Country, do you not think, that it's framers would have shown far more sense and discretion, and have obtained far more credit, than in the elevation of a Bishop? But, if you have any doubts, ask the people of India their opinion on this point.

VERA INVOLVENS.

Bombay, 3d March, 1835.

THE THEATRE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Having seen in your list of anwers to Correspondents on the 4th Inst. a very justly-spirited reply to One "DIDO," who had written you a strong Anti—theatrical letter on the score of religious scruples—which you very judiciously refused to insert, may perhaps be a sufficient excuse for requesting a small place in your columns, to ask this 'One Dido' a few honest—plain questions:

Firstly.—Is it unchristianly for brother to assist brother?

Secondly.—Is it unchristianly for a set of gentlemen to endeavour to raise from the dust, (however humble their exertions) a fallen speculation, which, if revived, may be the means of filling the mouths of many starving families? Is this unchristianly?

Thirdly.—Is it unchristianly,—does it affect the purity of our religion,—does it injure the morals of the people to place before them useful moral instruction in an amusing shape, by contrasting the degradation and honor attendant upon villainy—with the brilliant sunshine and reward of honesty?

Dido? is this question,—are these questions plain and fair? If they are, I would advise you for your own sake, for the sake of the religion you profess? to serve—for the sake of the public you wish to mislead—for ever after to be—Dido—dumb.

When you have proved to me that the Drama is a nation's scurse—poetry of imagination despicable—portraying every feeling of good and evil that can animate, or degrade, the human breast—injurious to public morals, encouraging a fellow feeling for fellow men deserving of censure; reading Shakespeare improper;—lavishing praises on the immortal talents of a "Kean" sacrilege;—patronising the living labours of a "Sheridan Knowles" destructive to our religion, to our youth,—to our domestic comfort, then, *but not till then*, will I subscribe myself

"ONE DIDO.

Bombay 7 March, 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Having seen in your Paper of the 18th and 21st Inst. some articles in reference to the occurrences which took place in Goa on the 1st, 3rd and 10th, the former containing an abridged statement which Senhor Bernardo Peres da Silva presented to His Excellency the Governor of your Presidency, when he waited upon that personage, and the latter an exposition of the origin and progress of those occurrences, both teeming with as many falsehoods as the ideas or the words, in which they are conveyed; chiefly as regards that part, in which I am constituted the author of the events of the 1st of Feb. I have considered it my duty, in defence of my honor, which has been severely attacked, and in order that the Public may be informed, with truth and accuracy of all that relates to the said occurrences, to cause to be published a detailed statement on that subject, for the purpose of shewing the boundless falsehood of the publications, which have appeared in the aforesaid Gazettes.

I shall therefore prove that I was not, nor could I be, the author of such events, as it has been asserted, with the view of effacing the memory of the services, during the seven years of my Government, which were undoubtedly those of the greatest peace, abundance, and regularity in all public Departments, that have been known in Portuguese India. It was during that period that the Public Functionaries of all classes were regularly paid, that several public works were completed, without a single individual suffering from them—which can amply be testified by hundreds of British Civil and Military officers, who, having visited that country before my government, were astonished to find that I should, in such a short time, have improved and beautified it, having at the same time made it healthy and agreeable.

As, however, that statement, which I intend to publish, requires time, to enable me to prepare it, and depends on documents, which are to justify its contents, I trust in the meantime, the public will believe me when I state that I owe to the ill will of some of my enemies, inclusive of Senhor B. P. da Silva, in the absence of other means, the having been detracted from my well established and deserved credit, which was always acknowledged and property appreciated by the Government of Portugal, as well as by all classes of individuals of different countries, which I have, for several years, governed, and which no man of good faith and honorable feelings would deny, Mr. Peres himself having acknowledged it in a pamphlet, which he published at Rio de Janeiro, when he was there, but which he certainly would not have done, had he then foreseen that Prefectures would be created in Portugal, and that he would have been ennobled by one of those pre-eminent titles!!!

Towards the events above adverted to, I did not, I repeat it, cooperate in any way, and of the truth of this, every person of sound sense will be convinced, by merely perusing the articles in question in your paper, for it is asserted that at my table, which has been always open to all, the revolution was planned, as if it were an object, which could be treated of, in a public manner! That I had assumed the government for one day only, and had relinquished it afterwards as if it were possible, after having voluntarily taken charge of the government, that I should not exercise authority or jurisdiction upon that one day! That I had subsequently repented, and quietly abandoned the Government!!!

That I beg also to inform the Public that it was I, that appointed the Law (Sec. 91, para 1st of the Regulations, regarding Prefectures) for the regulation of the administrative government of the State—and publicly urged upon its being carried into execution. How does it then that I promoted the revolution, for the purpose of having possession of the Government? Many other fooleries of the same stamp, which are visible in the said publications, evince pretty clearly the want of candour and truth, with which they were penned.

It is not, however, to be wondered at that Senhor Peres, assisted by his friends, in the absence of other means, should try to defend himself, by means of such falsehoods and calumnies, since they could not have found it convenient to do so frankly and openly, as it would then have been necessary to ascribe these events to Senhor Peres' contrived thoughtlessness, and want of experience in matters of Government as will hereafter be shewn in the detailed statement, to which I have above adverted, supported by proper documents. Whilst, however it is preparing I expect of you, Mr. Editor, the civility of causing this to be inserted in one of your Gazettes, whereby you will particularly oblige

Your respecful Venerator,

(Signed)

D. MANUEL DE PORTUGAL E CASTRO.

Vingorla, 26th of Feb. 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR—Having seen attempts to prejudice my character, in several numbers of your Gazette, by what Senhor Bernardo Peres da Silva, or his friends have, caused to be published therein, regarding the new Artillery Barrack, situated at Panjim, and the expense that has been undergone in building it—I have to request the favor of your publishing in the said Gazette, in defence of my honor and of the other officers, who were employed with me in directing that work, the following brief statements, which may, at the same time shew to Mr. Peres how inaccurate and false, were the informations he obtained on that head.

The old Barrack, which was generally occupied by that Battalion, having come down, in consequence of its age and bad condition, I was required, as the commandant of the latter, and as a public Professor in Military Architecture, to prepare a plan for the new building, in reference to which my conduct has been arraigned. I drew out the same, as it was my duty to do, and the deceased Colonel Francisco Augusto Monteiro Cabral estimated the work at from 110 to 120,000 Rupees. Such an outlay appeared however exorbitant to His Excellency the Viceroy D. Manoel de Portugal e Castro, who then governed Portuguese India, and he directed me to modify the Plan. I did so, and the alterations are seen marked in pencil upon it, which can be verified by having recourse to the Records in Goa. I also mentioned on that occasion, that with such charges, and several others, which I pointed out in the quality of the materials and other articles, the work in question could be completed for 50, or, at the utmost, 75,000 Rs. The Board of the Finances approved however of the first plan and estimate, without the new alterations, and invited tenders for the purchase of the necessary materials, particularly of timber, this being the article, in regard to which I had proposed the greatest part of the alterations; and nominated the said Engineer Colonel Francisco Agusto and myself to superintend the work, the Government having also appointed afterwards Captain Thomas Fernandes Pereira, a native of Goa, of the same class as Mr. Peres, to keep the accounts, to be present at the work, to receive charge of the materials, and of the money for the payment of the workmen, which latter was done by weekly Abstracts, sanctioned by the said Board of the Finance.

A short time afterwards, the Engineer above adverted to died, and in lieu of him was appointed another Engineer, Lieutenant Col. Francis a Antonio de Lemos, an officer of well known probity and character, and with him I continued to superintend the work.

His Excellency the viceroy visited the buildings daily; And gave orders that it should also contain a military academy. Record-room and a Public Library—as well as quarters for a detachment of Sepoys, that belonged to the Guard, attached to the Government House.—Room for the Board and for the Stores, for Clothing the Army—and for Public Schools, for teaching the Rudiments of the Portuguese Language, and the Portuguese and Latin Grammars—all of which had been either much created or considerable reformed during His Excellency's Government.

The above orders occasioned many alterations and augmentations to the work in question, and consequently the expense encreased in the same ratio; but this increase was likewise approved of by the Board of the Finances, they having caused timber to be purchased and received accordingly, and having authorised the Superintending Officers to buy, in conformity with the rates of the tenders on the former occasion, the other small objects, which might be wanting.

The work, mentioned in your Paper, without any particular description—is the Artillery Barrack, situated at Panjim, which has attracted the attention of the best British Engineers, who have seen it, and which merited also the approbation of His Lordship the Earl of Clare, who, whilst he was in Pangim, visited it more than once, and expressed wonder at such a grand work having been completed, in a proportional view, with so little money.

This Mr. Editor, is the naked truth which can be supported by original documents—I hope therefore that you will publish it, as it will also greatly oblige.

Your respectful Venerator and Servant.

(Signed) FREDERICO LEAO CABREIRA.

Vingorla, 26th Feb., 1835.

We have much pleasure in presenting to our readers the following Copy of an address by the native population of Bombay to the Earl of Clare, on his retirement from the Government, together with his Lordship's reply.

A deputation of the native community, headed by Framjee Cowasjee, and Juggonathjee Sunkersett Esqrs., waited on his Lordship yesterday morning, with the address, and the same was read and delivered to his Lordship by the latter Gentleman, to whom also his Lordship delivered the reply.

TO THE RIGHT HONORABLE THE EARL OF CLARE, GOVERNOR OF BOMBAY.

MY LORD,—We the undersigned Native Inhabitants of the Island of Bombay, cannot permit your Lordship to quit India without publicly expressing our admiration of the talents and acquirements which adorn your public character, and our gratitude for the kindness and urbanity uniformly displayed towards us in the relations of private life.

We are well aware of the success which has attended your Lordship's administration of the Provinces subject to this Presidency, but to this we would only allude, in order to convey the assurance, that, the obligation we feel for the important measures you have adopted for the public good of this Island, is enhanced by the recollection that your Lordship has effected them, amidst the cares of a far more important trust, and the anxieties which must always attend the paternal rule of a Presidency of British India.

The Natives of this Island must, ever, my Lord, entertain the most grateful feelings for the unhesitating manner in which your Government took the lead in dispelling the mistrust, which had been, too long, allowed to overshade the Native character, by bestowing on them the privileges which an enlightened Legislature had placed at your disposal, and admitting them to equality of rank with their English brethren; nor did your Lordship, in giving them a place in the magistracy, fail to smooth the way to their exercise of this important duty, by reforming and invigorating the Police of this Island, with which their names were in future to be associated—thus at once obtaining the gratitude of the rich, and the blessing of the poor, whose lives and property have been so effectually protected by the reform that has been introduced.

The act of Parliament lately passed for the Government of India, having opened a road to our attainment of commercial advantages of an important nature; your Lordship stood forward immediately as the Merchan's friend, and has even promised us, that your advocacy of the necessary measures to ensure the full attainment of these benefits, shall not be wanting, when your Lordship shall have again taken your seat in Parliament. For this efficient protection of the interests of the Port, we desire, My Lord, to express the sincere thanks of the Native Community.

Following in the steps of your great predecessor, Mr. Elphinstone, your Lordship has afforded us the liberal support and patronage of Government in carrying on the great work of which he laid the foundation; it is to the institution of the "Native Education Society," that we look for the realization of those advantages to our children, by which we hope that the Natives will retain that rank in society, and those employments of trust and honour to which your Government has elevated them; and we have therefore had sincere pleasure, in establishing, with the aid of some of our European friends, who are interested in our improvement, a certain number of scholarships under that Institution, which by bearing your Lordship's name may evince to our latest posterity, our deep sentiments of gratitude and respect.

We have now to bid your Lordship farewell, and to pray that it may please the almighty to shower the choicest blessings upon you on your return to your native shores. With us your Lordship's memory will ever be affectionately cherished, and we are confident that you will not cease to bear in mind those who have been so much the objects of your kind consideration in India.

We have the honor, to be, My Lord,

Your Lordship's most Obedient and humble Servants.

(HERE THE SIGNATURES)

Bombay, 28th Feb., 1835.

To The Native Inhabitants of the Island of Bombay.

GENTLEMEN,—I receive with feelings of the greatest satisfaction the address which you have now done me the honor to present to me, and I beg to assure you that I am truly sensible of the kindness which has induced you to notice in terms of commendation my public conduct in this country. Deeply interested as I am in its prosperity, I must ever feel gratified to know that my native fellow countrymen are satisfied I have not been inattentive to the true interests of this Presidency.

Before I left England I gave a pledge that I would encourage Native talent and Native work wherever I could find it in this Country, and it has afforded me the most sincere gratification to have been enabled to give effect to the intentions of the Legislature in your favor. To me you owe nothing, for you have been brought forward and promoted to offices of trust and responsibility because, from your superior knowledge and acquirements, you deserved the privileges which this Government has conferred on you; and I do not hesitate to state that your promotion to high Offices both here and in the interior, has been attended with much good; for nothing can conduce more to the prosperity of India than to have found Native gentlemen duly qualified to go hand in hand with Europeans in the administration of Justice.

The road to honor has been opened to the Natives of this Presidency, and I feel satisfied they will steadily pursue every object of honorable ambition within their reach, and as I can never doubt the policy as well as the justice of conferring high powers on native Gentlemen of tried ability and integrity, I am confident that, with the ample means now provided for their moral and intellectual improvement, their future advancement will realize the most sanguine expectations of their friends both here and in England.

In handing over this Government to my able Successor I have peculiar happiness in knowing that he has been the strenuous Advocate at home of all measures introduced into Parliament to promote you to Offices of trust and honor, and that you will find him here a true friend to India, and warmly attached to the Inhabitants of this Country.

While I return you my most grateful acknowledgements for this address I must ever remember the flattering manner in which the friends of education, both European and native, have joined to found scholarships which shall bear my name: You have identified that name with an Institution founded by my illustrious predecessor Mr. Elphinstone whose memory is cherished with undiminished affection and admiration in Bombay, and you have thus, beyond measure increased the honour conferred on me however unworthy this distinction.

My future life will be passed far from India, but it will ever give me pleasure at home to attend to its interests, and I shall always recollect with feelings of esteem and gratitude those who have honored me with so much kindness in this country.

(Signed), CLARE.

HIGH WATER TABLE.

March 1835.	A. M.	P. M.
,, 7th Saturday	7 17	7 55
,, 8th Sunday	8 13	8 41
,, 9th Monday	9 9	9 40
,, 10th Tuesday	10 6	10 29.

To Correspondents.

"OTICULA" is not of interest enough for publication. "A CONSTANT READER" will see the subject of his letter has been anticipated by "A SUBSCRIBER."

THE GAZETTE.

SATURDAY, 7TH MARCH, 1835.

THE French ship *Nymphe* L. Du Bois, master, from Bourdedux the 21st Oct., and the Portuguese ship of war *Infanta Regent*, from *Goa*, the 21st ultimo, arrived here on the 3rd inst., and the H. C. Schooner *Shannon* from Socotra the 31st Jany., on 5th instant.

THE subjoined extract has been sent us for publication. It professes to give an account of the state of the China Market in regard to the two chief articles in which the Bombay Merchants are concerned.

Canton, 16th January, 1835.

We enclose our latest price current dated 13th inst. since when, owing to the pressure on the Market of the opium per *Ruby*, and the scarcity of cash usually experienced among the Chinese on the approach of the China new year (29th inst.), the prices of the drug have declined, Malwa being unsaleable at Drs. 565 and Patna at Drs. 665 per chest.

Cotton was in some demand about a fortnight ago, but has since then been very dull.

THE Portuguese Frigate *Infanta Regent* arrived here on the 3rd inst., having on board the individuals deputed by the provisional government of Goa to wait on Mr. Peres. It is understood that on their arrival, they had an audience of Mr. Peres, and conveyed to him the mission with which they were charged. Mr. Peres received the deputation very favorably, and, from the assurances given him of the altered feeling in Goa, he has consented to return there, and resume the Government.

Goa is said to be in a very quiet state at present. DON MANOEL, the late Governor, is at *Vingorla* in company with his three Aid de Camps, and we understand it is his intention to depart from thence for some part of Europe.

We give insertion in to-days Paper to a letter from DON MANOEL, and to another from FREDERICA LEAO CABREIRA, his Aid-de-camp, in answer to some correspondence which appeared in this paper on the late proceedings at Goa.

AN atrocious murder was committed at the House of a man who kept a Banyan Shop at Mazagon, on the night of Tuesday last. It appeared that the house of the person killed, was in the middle of a range of buildings, near the side of the public road, leading to the Dock yard, and that the family, while sleeping in the upper part of the house, were disturbed about one o'clock, by some thieves who had got upstairs moving a box away from near the head of one of the females of the family, and a nose ring and necklace ornaments were, at the same time, violently torn off, and the wrist of another female was siezed and a necklace ornament, torn off. The noise the females made disturbed the husband, who would appear to have made a violent struggle with the thieves, as he was cut in several places on the head, hands, and leg, and though an alarm was given of "chor, chor," and heard by the neighbours, they were too much frightened to leave their houses to render any assistance, until the police rounds came. By this time the thieves effected their escape, taking off with them the box which contained some pawned Jewels, Trinkets, and money

that were in the Box, which was afterwards found at a little distance from the house, gutted of every thing of any value. A small straight sword, which appeared to be the blade of a longer sword shortened, and fresh set in a white ivory handle, with brass fastenings, was also found in another direction by the side of a pool of water that remains from the flowing in of the tide. The thieves had got into the house by breaking a hole thro' the chunam wall near the side of the door, so as to enable them to remove the "Hook fastening" and two wooden bars that had been put across the door. The position of the hole having been made so as to reach the fastening, and the Jewel box selected when others near were untouched, shewed that some of the thieves must have been well acquainted with the localities of the building. Four or five persons were seen in the room with swords, and from a deep cut in the left hand of the deceased, it would seem that he either siezed the swords, or raised his hand to protect his head from a blow. A diligent enquiry has been made, which continued for two days, but the perpetrators of the murder and robbery have not been discovered. The deceased was about fifty years of age, and has left a widow and married daughter to bewail his loss. He was much respected in the neighbourhood. Why dont the Police Magistrates offer a reward for the apprehension of the Murderers? The Portuguese Priest at Mazagon kindly afforded every accommodation to the Coroner and his Jury.

The *Bengal Hurkaru* chooses to be facetious on the subject of our remarks about the Maldiva Islands contained in our paper of 7th ultimo. It taxes us with losing sight, in writing that article, of "the only point of real importance,—or at least the point of chief importance" as connected with those Islands. Now, what would our readers imagine to be the point of chief importance to the public in their inquiries about those Islands? The inhabitants and their institution? No——their numerical force, their trade, their resources?—No that is not it;——their manners, customs, laws? No, we have not yet hit it;——Perhaps, the description of country—its fertility or barrenness, its ponds, lakes, rivers, mountains, woods and wilds?—No, not one of these, and perhaps not one of all we could stumble on, were we to guess until dooms-day. But the *Bengal Hurkaru* gives us the secret,—it is, whether there is any place that would answer as a depôt for Coals! Every place where foot can rest, or man find a landing place, is to be converted into a depot for *Coals*, to allow the Calcutta Steam Committee to carry on their steaming projects. Capt. Ross must be directed, the next time he starts on his north pole expedition, to set and let every consideration aside and keep in view merely whether the ports, places, Islands, snow houses, and ice plains which he may meet in his way are fit to be made Coal depots! But this is altogether too severe on the Calcutta Steam projectors. They have had enough of the Socotra depot in the memorable voyage of the *Forbes*, and it is too bad to be eternally badgering them about Coals, and depots, and Steam and Steam Engines when, in truth, they are most heartily tired of the whole affair. The extract will be found under our Calcutta head.

We have only a remark or two to make on the letter of "MILES." He says the Commander in Chief is not the proper party to frame Charges, but in effect admits that the Commander in Chief must sanction them. It is of no use disputing about terms,—we never meant to say that the Commander in Chief *literally* framed the Charges, but they must go through his hands for *approval*, which, practically speaking, amounts to the same thing. It is a distinction without, difference which MILES would draw. The very power to *approve* and sanction carries with it the power to suggest alterations, or remodel the Charges, and that, so far as the Court Martial is concerned, is precisely the same thing as if the Commander in Chief had framed them in the first instance. Our next remark applies to what *Miles* says about the power of *partial* amendment being vested in the Court, but, as the partial amendment would be a question of degree, it does not well appear how the limit could be fixed. The Court must either be vested with the *full* power to alter or vary the Charges as may to them appear necessary, or are barred from attempting any alteration whatever without the previous sanction of the Commander in Chief. That they should exercise the former appears to us to be incompatible with the present constitution of Military Courts. Altho' there is much reason in what *Miles* writes, we do not see that he is borne out by authority. And with these remarks we dismiss the subject, leaving it to those who have a more particular interest in the question to compare the article to which *Miles* alludes with his own Correspondence, and judge to which side the authorities on Military law leans.

THE H. C. Schooner *Shannon*, Lieut. Warry in charge, from the Island of Socotra the 31st January, arrived here on the 5th inst. The accounts she brings of the expedition to Socotra are not quite so favourable as those which have already come to our notice. The *Palinurus*, which had been dispatched by the Bombay Government to take possession of the Island, having arrived off a town or village in the Island called *Geshen*, where the Chief and other dignitaries reside, the Commander put himself in communication with those parties on the subject of the intended purchase, but it was found that they were by no means disposed to surrender their country for gold or silver either. The Shaik is said to be a young man of weak intellect, and an uncle of his, named Omar-ben-Jowarree, exercises all the power. After a delay of some days, they were reminded that it was necessary to give an immediate answer to the proposition made to them, as to the sale of the Island, and a demand was made for sheep, fowls, &c. for the use of the Ship's Company. No answer having been received, the Vessel took her birth immediately before the Town, and made certain demonstrations of rather a warlike character so as to terrify the Arabs into obedience. But it was of no use. A flat refusal was given to both the requests. The Palinurus, it would appear, went to Socotra a day or two thereafter. *Tamarida*, the chief village in that portion of the Island, is said to contain about thirty inhabited houses, and about one hundred in ruins. The number of inhabitants is about two hundred, including slaves. The scenery around this village is rather grand, and a river which runs close by, makes it a desireable resort for the wandering tribes. The *Bedouins* of the hills are rather small in stature, and are in no way propossessing, while the *Maharah* Arabs that reside among them are, for the most part, a fine athletic set of men. At the town of Tamarida, the graves are said to be in number to the houses, as twenty to one. During the S. W. Monsoon, fever is very prevalent there, and, every season, decimates the Village. Three men on board the Palinurus were laboring under fever at the time the Shannon left. One seapoy had been drowned on the disembarkation of the Troops, owing to the tremendous surf. One of the European troops had expired on the 15th January, and another was taken ill of fever on the same day. The climate is said to be very fine, the Ther: ranging from 82 to 74 in the valley, and 54 on the mountain top.

The *Hugh Lindsay* had arrived at Socotra on the 20th January, it then blowing very hard, and a high sea running. All on board were well. The Steamer left Socotra on the 24th.

We refer our readers to a letter which appears in our columns of to-day on the subject of the expedition, and necessity of sending an additional force there, and must add that it appears to us to be a matter requiring the immediate notice and consideration of Government.

WE understand the court martial appointed to investigate certain charges preferred against two midshipmen of the H. C. Sloop of war Coote, as noticed in our paper of the 21st ultimo, has fully and honorably acquitted them of all the charges.

We are led to understand that the charges were of as light a nature in themselves, as they were unfounded.

ON Thursday night last, the entertainment to Lord CLARE, on the occasion of his leaving India, took place in the assembly Room of the Town Hall,—that stately and elegant building surpassed, perhaps, in no part of the world,—a monument of the genius which designed and partly executed it,—that great architect the late Colonel Thomas Cowper of the Bombay Engineers. The Assembly Room has never yet been furnished by Govt. and although, therefore, the Town Hall has now been completed for several years, the Society has not before had an opportunity of applying the Assembly Room to the purpose for which it was intended. On Thursday night last, however, it was opened to do honor to the illustrious Nobleman who is about to leave us. The principal front of the Town Hall faces the Church gate, and no sooner had we entered the fort, than the eye was dazzled by the brilliant illumination of the grand entrance which leads immediately into the ball room. The effect of this was very striking—the outline of the building was delineated by lamps, with a transparency of Lord Clare's arms, wreathed in Shamrock, and the whole surmounted by an Earl's Coronet. We found a guard of honour from H. M. 40th Foot in attendance.

The company began to arrive a little past nine o'clock, and Lord Clare entered the room, with Lady Grant on his arm, about an hour afterwards, when dancing commenced. Some misgivings had been expressed as to whether even the whole of the English society, with such portion of the Native gentlemen as mix with us, would be sufficient to fill so large a room as now held all the worth and beauty of Bombay: but the number of persons anxious to do honour to the Noble guest of Thursday evening, seemed to increase with the space allotted for their accommmodation. The fault of all the numerous splendid farewell entertainments that have been given to him has been, the crowd, and this fault was still, in the early part of the evening, present on this occasion: and so great was the interest excited, that even the Orchestra was well filled with Females. Among the company we observed H. E. the Prefect of the Portuguese possessions in India with his Suite. This evening will be long remembered, too, in Bombay, as being that on which was first displayed to the public, the statue of our late Governor, Mr. Elphinstone, which had been placed on its pedestal, in order that it might, on that night, add grace to the scene and joy to the hearts of those who love and venerate this great man.

We have seldom seen dancing kept up with so much spirit as it was on this occasion The party formed themselves into a line of Quadrilles of different sizes, and in the whole length of the room. The sweet band of H. E. Sir John Gore was in the orchestra,—that of the Garrison in the back verandah, which played without intermission—alternately,—Quadrilles and Waltzes till one o'clock in the morning, when the party adjourned to a magnificent suite of Tents, where supper was laid for 350 people. Sir Herbert Compton occupied the president's chair. Sir John Keane, richly decorated with orders that of Vice President. Lady Grant was seated on the right of the President, Mrs. Ironside on the left; these ladies being respectively supported on the other side by Lord Clare and Sir Robert Grant, each in the Windsor uniform: Sir Robert Grant wore also the collar of the Guelphic order.

After giving the healths of the King and Queen, the President rose to propose "Lord Clare, long life and happiness to him." And here we must acknowledge our inability to do more than sketch a very faint outline of the speech with which our excellent Chief Justice prefaced this toast, as well as of the many good speeches that followed in their proper order.

The President said, we had assembled to do honour to the private and social character of Lord Clare. He had on a former occasion alluded to that part of Lord Clare's life immediately preceding his leaving England for India. He had come out to Bombay to succeed two most illustrious men, who had each risen from the body of their respective services in India to be Governors, and who, therefore, had the means of holding the affections of men by grasps of a different kind from those which Lord Clare had. They had not to contend with the perplexity of a sudden introduction into a society of a totally different kind from that of the corresponding class in England—a difference of feeling and habits—of which all who, like himself, had returned to England after having passed many years of their life here (and he was not going to tell them how many it was that he had passed) were most sensible. He was sure, however, that all who heard him would agree with him in thinking, that Lord Clare had speedily overcome these difficulties. (Immense cheers)—he had been friendly, kind and sincere—his hospitality liberal,—and his whole conduct shewed, that he was possessed of all those excellent qualities and graces which should belong to his order. He had, individually, to thank his Lordship for much kindness to himself and family. Of Lord Clare's public acts on this Island, with which he was himself acquainted, he would speak. There are many occasions when the Supreme Court and Government are obliged to communicate on matters connected with the peace and health of the community; and Lord Clare had, on these occasions, only required to be satisfied that the measures proposed to him were calculated to produce public good, to give them his cordial support. He had not communicated with Mr. Justice Awdry on this point, but he was sure he would agree with him [Sir John Awdry across the table: "all you have said has my hearty concurrence."] That great statesman, whose statue had been exhibited to them for the first time, said, that he knew no means of improving the moral and intellectual condition of the Natives but that of promoting education among them. Lord Clare had hastened this great work, and he was happy to know that his Lordship's name was to be associated and handed down to posterity with that of Mr. Elphinstone, as the Patron of Native Education. Lord Clare had, too, promptly and as he thought wisely, acted on the intentions of the Legislature in elevating natives. The President having dwelt a few minutes on this point proposed his toast, which was received with the greatest enthusiasm and announced to the crowd without, by a salute from the Battery.

Lord Clare expressed his thanks in strong terms, the Chief Justice had said truly that he arrived a stranger in India, but a man who knew India well told him before he left England—the Duke of Wellington told him, that he would find among the services of India, highly intelligent men ready to give him accurate information and honest advice, and all the Duke of Wellington had said and so he should tell him, of the Civil and Military Services in India had been verified,—a man had only to seek information to find it, and he heartily congratulated his successor, in having such men under him. He had in what he had done, done all for the publick good. He hoped they would allow him to say he has made friends among them (Loud and continued cheering) and tho' he was now leaving India for ever, and his future life would be spent far away from them, he should never forget their kindness, and should be happy at all times, in and out of Parliament, to attend to their interests. He wished them each health and happiness, and that they might each and all in their respective capacities, return to England to enjoy a hard earned and honourable independence.

Sir John Keane next proposed the health of "Lady Grant with all the honours."

The President proposed, in an appropriate speech, the health of Sir Robert Grant, three times three. He alluded to Sir Robert's Parliamentary life and said, from all we had seen, read and heard of him, he thought we had reason to congratulate ourselves in Lord Clare's successor.

Sir Robert Grant rose and replied with much elegant taste and eloquence. He was obliged to his learned and excellent friend for the terms in which he had drank his health, to the company for the manner in which it had been received, but he would not draw off attention from the one object which had that night attracted society together. His Noble friend had served his country well, and would receive his country's gratitude, he had been kind and pleasing in society, as was evinced by the large assembly now met together, and it was returned by the possession of the hearts and affections of the people, and if any one might be allowed to be anxious, it was the individual who was to fill the places which Lord Clare had so ably filled and was so soon to vacate. For himself all he would say was, that, from all he knew and had heard of Lord Clare's public administration, he could not do better than copy so excellent an example. [We regret we cannot do justice to this speech.]

The President next proposed "the Ladies of Bombay." three times three. Lord Clare then rose and gave as a farewell toast, Mr. Elphinstone who had, it might be said, on that night reappeared among them, and it would be his pride and pleasure to tell him, that, though he had now left India so long and he (Lord Clare) was afraid for ever, he was still remembered and loved as he was the day he embarked. This toast was received as it *always* is.

The Company now returned to the Ball Room when Lord Clare kindly complied with the wishes of the Stewards, that the Ball should be renewed by His Lordship taking the lead of a country dance with Lady Grant, Mrs. Ironside stood next, and as the Dance opened each in order, as in the good old days of Queen Charlotte, Miss forgot the mincing steps and prim look with which her dancing master had taught her to saunter through a quadrille, and, with the aid of the True Blue from the Naval Squadron in the harbour who always aid hilarity and activity, so much, this good old dance of dear old England, extending the whole length of the Hall, was danced with the vivacity of hearts, of which dancing was intended as a token.

Lord Clare left the room after 2 o'clock in the morning. Dancing still continuing, and what! if night was unable to escort all her votaries to their Couch without her rosy sister drawing up her dark cloak?—let her do her worst, she could but exhibit to the world the faces of those who loved to do honour most and longest to so excellent a man, and so kind a friend, as the EARL OF CLARE.

WE beg to draw the attention of those who like rational and intellectual amusement, to the notice which appears among the advertisements of this day, of the intended performance at our little Drury. The company muster strong, and, if we are rightly informed, a considerable portion of talent has been brought to aid, several Gentlemen of the *Buckinghamshire*, having volunteered their services. A new Farce, written by one of the Gentlemen performers, is to be submitted for public approbation, and, judging from that Gentleman's previous attempts, we have no doubt the present will be found as giving him considerable pretensions to acknowledge of the histrionic art.

CALCUTTA.

The *Bombay Gazette* of the 7th instant gives some account of the survey of the Maldive Islands. On the only point of real importance, or at least the point of chief importance, whether these is any anchorage that would answer as a depôt for coals, the writer is quite silent—the islands are described as mere "barren wastes where foliage flourishes not; nor vegetation grows." That may be, but they may still afford depôt for coals. As we believe one of them does. Our contemporary expresses a wish that government would recommend the officers of the survey to give some sort of a statistical account of the inhabitants their manners and customs—the most curious point in their history would be how they contrive to live where there is no vegetation and where during six months of the year they have no means of access to the countries which produce food. They probably live like the Arabs of the Desert upon dried dates.

We insert to-day the conclusion of the trial of the Kandyan prisoners for high treason. It is curious to observe, in the portion of the charge to the jury which we gave yesterday, the length at which the learned Judge thought it necessary to descant on the nature of the offence of compassing the King's death, and to vindicate the law for the care it manifested of His sacred Majesty's *person*, which one would have thought could not be *much* endangered by a conspiracy in *Kandy*—but it is impossible to preserve one's gravity when one finds the Judge instructing the jury that the King is bound by his coronation oath to resist all rebellious wrongs by force of arms "which of course has a tendency direct or remote according to circumstances, and on the present case certainly remote to place his life in danger!" To the untutored doubtless all this explanation of constructive treason as involving the probable or possible contingency of danger to the King's life, in a case where the scene of the treason was Kandy, from which His Majesty was and is likely to be, remote some 14000 miles, appears very proper—but to the unlearned in the mystery of law it wears the semblance of wicked irony—when we consider that in so far as the royal safety is concerned, compassing and imagining the King's death by Kandian conspirators at Kandy, was a very harmless kind of conspiracy, when we consider also that it is quite inconceivable that the conspirators ever did plot against his Majesty's life or think about him; and when we reflect moreover, that the actual crime with which they were charged, needed no such constructive aggravation—being no less than that of a design to overturn the British Government and set up a pretender to the Kandian throne—to spread anarchy throughout the island. Of course in the technicality of the indictment we look for an unmitigated share of the absurdities of old father Antic, but in the charge of an intelligent Judge, we should have expected that time would not have been wasted upon these technicalities of constructive treason quite foreign to the matter actually in issue. What must the prisoners if it had been explained to them, have thought of this learned disquisition on compassing and imagining the King's death of which they knew themselves to be as innocent as the Judge who tried them? When will the triumph of common sense over such a mass of absurdity be complete?

The trial ended it will be seen in the acquittal of the prisoners although there can be no doubt that they were actually guilty of the crime of treason, in its common sense acceptation of conspiring to overthrow the British Government—the verdict was clearly against evidence. The foreman of the Jury was about to explain some "unpleasant circumstance" with respect to the native portion of the jury which would probably have accounted for that verdict; but the learned Judge interposed—he was bound to do so of course—and again law and technicality triumphed over justice and common sense. These things are bad enough in their effect in our own country: but to load the administration of justice in India with the monstrous technicalities of English law, is the very climax of legislative absurdity. In the actual case it is clear that something was prevented from transpiring which the ends of justice required should be made known—but the law forbids it, and the result is that a set of desperate men escape with impunity and are let loose upon society to hatch another treason as soon as they please.—*Bengal Hurkaru, Feb.* 21.

EUROPE.

FRENCH POSTAGE ON BRITISH JOURNALS.

The law for regulating the postage in this country of newspapers forwarded to and from foreign parts, has put us in the situation to profit by a corresponding liberality on the part of other Governments. Our postage duty of twopence is to be abolished on all papers transmitted to or from foreign countries, wherein English journals are allowed to circulate without charge. Whatever cause of complaint therefore, may have heretofore existed against our Post office regulations on this score, is now removed; and if there be not a free circulation of foreign journals in England, and of English journals abroad, it is not the fault of the Government.

It will be recollected, that sometime ago, the French Director of Posts proposed an arrangement by which the mutual free transmission of journals in France and England would have been secured. The Duke of Richmond had no power to enter into this arrangement, and moreover threw cold water upon the project. It would now seem, that the French proposition was not sincerely made, and probably would not have been ventured except in the certainty of its rejection. For the only obstacle now in the way of the free circulation of the newspapers of the respective countries, is the refusal or reluctance of the French Post-office functionaries to do what they pretended to be so anxious and eager to bring about some months ago. These gentlemen gained a temporary reputation for liberality, which they have lost by their present shabby mode of proceeding. It appears from the letter of a Parisian correspondent, in another column, that the French charge of postage on the *Spectator* is five pence; which, in addition to the English charge of twopence, raises the cost of the paper from a shilling to one and sevenpence—from 2*l.* 12*s.* to 4*l.* 2*s.* 4*d.* per annum. This is a heavy per centage on the *Spectator*, quite sufficient to drive away all idea of common circulation in France; but on a *Daily Paper*, the ratio of the postage charge is still more extortionate, being 100 per cent.—the paper which is sold in London for 9*l.* a year, costs 18*l.* in Paris. The French Government is responsible for the whole of this vexatious imposition; since it has only to say the word, and the English postage is at once removed.

Our correspondent gives, we doubt not, the true reason for the perseverance of the French Post-office in this illiberal policy. Louis Philip and his Ministers dread the light, because their deeds are evil. They cannot endure that their own countrymen should be aware of the scorn and derision with which foreigners, and more especially Englishmen, regard their apostacy from the principles of the July Revolution,—their stockjobbing, pettifogging, monopolizing schemes for filling their own pockets at the expense of the nation. The King of England would laugh at the idea of being attacked in foreign or domestic journals. He is perfectly willing that all the newspapers in all languages should circulate through the country. He has no speculations in the Funds, no shares in iron or silk monopolies, no reproachful pangs of conscience at having deluded and trampled on his people. Therefore he laughs at his libellers, if there are any, and can well afford to despise them.

King Leopold of Belgium, too, is equally fearless of the strictures of the press. His Government means speedily to take advantage of the late act of the British Parliament, and to obtain for its subjects the free circulation of newspapers in England and in Belgium. His example puts the King of the Barricades to open shame: it proves that he feels his hold on the affection of the nation to be firm, and that he has no cause to fear the wholesome scrutiny of the public eye. But as for Louis Philip, but one interpretation can be put upon his conduct: he has a cowardly consciousness of having played a double, an unfair game. By means of fines and incarceration, and violent destruction of newspaper property, he holds his own subjects in some kind of check; but he cannot reach the English journalists; the circulation of whose writings he therefore indirectly does his utmost to prevent. In this respect at least he proves himself a worthy disciple of Metternich, and affords better evidence perhaps than could in any other way be adduced of internal weakness. The tottering throne of the Barricades is made to rest on the ignorance, not the affections of the people. —*Spectator, Oct.* 11.

THE GLASGOW DINNER TO THE EARL OF DURHAM.

A public dinner to a distinguished person *may* be a very worthless compliment. If he in whose honour it is pretended to be given is high in power and place, it is stamped at once with the mark of sycophancy: the company are fairly liable to the suspicion of casting prospective glances at the good things hoped for. If, as very often happens, a dinner is given to a defeated candidate at an election, then it amounts to little more than a mere bravado, an opportunity to disgorge local spite. In the annual reunion of a club, such as the Pitt or Fox, the interest seems to depend mainly on the political events of the day and the state of parties. Thus, for many years the few gentlemen who made a point of attending the Edinburgh Fox dinner, were marked men: they did not assemble merely to spout Whiggism and drink port or claret, but to avow their irreconcileable hostility to the Castlereagh and Sidmouth domination, the embodied spirit of Toryism. The dinner to Mr. Brougham in the Northern capital, in 1825, was not only the highest personal compliment that the Chancellor ever has received—for *then* his hands were indeed "clean."—but it was an important event in the political history of the country, and evidence of the decided progress of Libiral opinions. To confound such a meeting with common party gatherings, would be absurd. The state of the public mind, the motives of the persons who attended the dinner, the nature of the services already performed by and expected from Henry Brougham, and his avowed political principles, all conspired to render it one of those manifestations of the national mind, of the temper of the people, which no prudent Government would have disregarded.

The projected dinner to Lord Durham at Glasgow, must be looked upon in the same light. For—what has given occasion for it? Lord Durham's noble and independent bearing, and the wise and statesmanlike principles declared by him, at the Grey Gathering. Lord Brougham, in a speech of studied eloquence and craft, has laboured to defend the compromising policy of the late (we will not say of the present) Ministry. he had presumed to lecture the more resolute and sincere Reformers for their impatience of abuses: and even intimated, that if he and his colleagues had not accomplished a great deal during the last session, it was only because comparatively little remained to be done in the way of Reform. The orator was surrounded by admiring friends servile supporters, and thoroughgoing Whigs, whose main object seemed to be won when their party had at length recovered their political ascendancy. The tone of the meeting was averse to controversy; and the artful Chancellor would have succeeded in giving a Juste Milieu colouring to it, which might be turned to account in the Cabinet, in Parliament, and in his peregrinations through the country,—had not Lord Durham, with calm presence of mind and bold determination, in language which no one could mistake, but at which no one could take offence, administered a seasonable rebuke to the jesuitical orator, and called forth the unequivocal expression of the real feelings of the assembly in favour of substantial, uncompromising, resolute Reform. He held up the mirror of honesty to the meeting, and the unwholesome enchantment conjured up by the eloquent magician at once disappeared. In the expressive language of the Apostle of the Gentiles, he "withstood him to his face, because he was to be blamed"—because "he saw that he walked not *uprightly according to the truth.*" The assembled thousands felt that the true chord had been touched at last, and cheer upon cheer resounded through the hall. A most every one felt, who some at once exclaimed, "*That* is the man!"

As it is in consequence of Lord Durham's conduct and speech at the Edinburgh Dinner that the inhabitants of Glasgow have stepped forth to do him honour, it will be worth while to look back upon that speech, that we may see clearly what are the sentiments which are so cordially approved of.

The passage which has excited so much attention is the following.

"My noble and learned friend, Lord Brougham, has been pleased to give some advice which I have no doubt he deems very sound, some classes of persons—*I know none such*—who evince too strong a desire to get rid of ancient abuses, and fretful impatience in awaiting the remedies of them. Now I frankly confess that I am one of those persons who *see with regret every hour which passes over the existence of recognized and unreformed abuses.* I am, however, perfectly willing to accept the correction of them as *deliberately* as our rulers, and my noble friend among them, can wish; but on one condition, and on one condition alone—that every measure should be proposed *in conformity with those principles* for which we all contend. I *object to the compromise of opinions,* not to the deliberation of what they should be. I object to the *clipping, and paring, and mutilating,* which must inevitably follow any attempt to conciliate enemies who are not to be conciliated, and who thus obtain an advantage, by pointing out the inconsistencies of which you are guilty in abandoning our friends and your principles, and attribute the discontent felt on this score to the decay or dearth of Liberal principles. Against such policy, I, for one, enter my protest—as pregnant with mischief—*as creating discontent* where enthusiasm would otherwise exist—*as excitating vague hopes* in the bosoms of our adversaries, which can never be realized—and as placing weapons in the hands of those who use them to the destruction of our best interests. With this candid explanation,—with this free exposition of my principles, which I have never concealed in any position in which I have been placed,—I am ready to grant *the utmost extent of deliberation* to my noble and learned friend which he has called for this night, and which has recently prevailed."

We learn from this, that Lord Durham is not aware that any considerable number of persons in the country *have* been fretfully impatient. He avows for himself, that *he* sees with regret every hour which passes over the existence of recognized and unreformed abuses. And what is there unreasonable in this? Why, it may be asked, should abuses be allowed to exist an hour after the power to remove them has been given to our rulers? An individual will not submit to injury for an instant, if he can avoid it; he will not hesitate about recovering a lost right, or freeing himself from the oppression of a palpable wrong. To say that such a man is fretful and impatient—that he is a too ardent or sanguine remover of his personal grievances—would be deemed rank nonsense or hypocritical cant. And what is a public abuse, but a wrong to millions, instead of an individual injury? The principle, then, which Lord Durham would apply to the conduct of public affairs, is that which all men of spirit and discretion—all but the cowardly, the corrupt, and the slothful—adopt in every-day life. It is a principle which sound reason approves of, and which experience recommends. Lord Durham objects to the clipping, paring, and mutilating of good measures, with a view to conciliate opponents who trample upon such overtures. We should suppose that there does not exist a single person of common observation and tolerable sagacity in the country, who does not now cordially concur with Lord Durham on this point. The utter, the ludicrous failure of the compromising policy, has been demonstrated. Mr. Fox's saying, "that he would rather give a little to a friend than all to an enemy," has been most absurdly quoted in defence of the policy of the Grey Administration, which Lord Brougham still clings to. But instead of giving a little way to friends, Ministers gave up a great deal to enemies, who would not have been conciliated with the whole from such hands as were stretched out towards them. Hence the miserable failure of that "clipping, paring, and multilating." of good measures, which has been productive of discontent and disunion in the Liberal ranks, and of vain, presumptuous hope in Conservative breasts.

But though he denounces the system of compromise, and avows his impatience of needless delay in the removal of abuses. Lord Durham would give ample time for deliberation. He is quite as much opposed as any man in the country to *hurried* lawmaking. This is one of the distinguishing characteristics of the Independent party. We have repeatedly urged upon our rulers the necessity of timely preparation. To delay measures to the fag-end of a session, and then slur them over hastily, is not deliberation or caution—it is laziness or incapacity. The country is not eager to see a great number of bills brought into Parliament, but desires evidence of forethought and honest intention in the management of a few good ones. We are willing to receive our debt by regular instalments, and do not wish the property to be sacrificed by hurried sales.

These are the main principles avowed by Lord Durham; and it is to testify their marked concurrence in these principles, in direct opposition to the wavering, trimming, uncertain policy that Lord Brougham was excusing or recommending in glozing speeches, that the capital of the West of Scotland has set itself in motion, and invited Lord Durham to a great public festival. On this point there cannot possibly be any mistake. The speech of Lord Durham is in every one's hands; and it is to testify their marked concurrence in these principles, in direct opposition to the wavering, trimming, uncertain policy that Lord Brougham was excusing or recommending in glozing speeches, that the capital of the West of Scotland has set itself in motion, and invited Lord Durham to a great public festival. On this point there cannot possibly be any mistake. The speech of Lord Durham is in every one's hands; and it is because his views are seen to be rational and wise, and in accordance with those professed by the great body of Reformers, that they delight to honour him. Let Lord Melbourne be instructed by this expression of public feeling. The country does not insist upon Lord Durham's admission to the Cabinet—though that would be a politic measure—but it does require that the principle of progression which Lord Durham laid down, in the teeth of Lord Brougham's temporizing maxims, should be the rule of Ministerial conduct.

THE FIRST TEA SALE IN LONDON.

The first tea sale since the opening of the China Trade took place on Tuesday. After several lots had been disposed of, Mr. John Travers, an extensive dealer in the article, inquired whether some tea which was about to be offered for sale, had passed through the hands of the Government Inspector; as it was infamous stuff, and nothing like tea. Several other brokers and dealers declared that it was only fit to be sold as poison, the broker employed to sell it stated, that the article *had been passed at Bohea*, by Mr. Wybrow, the Government Inspector, and, he believed, with the approbation of the Commissioners of Customs; but that he could not himself find a particle of tea in the composition, and had reported to his principal that the trade might be seriously injured by offering it for sale. Of course the objectionable article was withdrawn. This was said in the presence of Mr. Wybrow, who made no observation on the statement.

The *Courier* asserts that tea-dealers were all wrong, and that the article offered for sale was bohea after all; but no authority is given for this assertion. Our contemporary is also strongly of opinion that the duty of the Inspector is limited to the care of the revenue; and that all he has to do is to see that a superior article is not admitted at the rate of duty imposed on the inferior descriptions of tea.

We presume that if a quantity of sloe-leaves or any thing more deleterious were offered to the Inspector, he would not be justified in allowing it to pass through his hands as tea, merely for the sake of the duty. Surely the Government might be expected to look a little beyond the mere collection of the revenue, and strive to offer some protection to the public against fraud in an article on which so large a duty is levied. It is true that experienced dealers may be expected to understand their business better than to purchase a spurious for a genuine article; but there are a vast multitude of his Majesty's subjects who buy their *tea* upon trust; and as all the duty-paid tea is passed through the hands of persons appointed by Government to inspect it, it is fair to presume that they will not allow "poisonous stuff" to be sold with their sanction. Besides, if the *Courier* is right as to the nature of the stuff rejected on Tuesday, it appears that even the most experienced dealers are ignorant of its real quality; for they declared one and all most positively, that there was "not a particle of tea in the composition." If such ignorance prevails among those who are presumed to be learned, it becomes still more necessary that the persons not brought up to the trade should be protected. If this "poisonous stuff" had been sold for tea, and afterwards the consumers had suffered from its bad quality, the vender, we suppose, would hardly have been prosecuted by the Government for selling an article injurious (like bad fish) to the health of the people.

The *Morning Post* very absurdly adduces the proceedings at the sale as making against *free trade*; as if the trade in an article taxed so enormously as tea is were really free, and as if under the old monopoly there were no such things as sloe-leaves sold for tea. The fact is, that the question of free trade has nothing whatever to do with the proceedings on Tuesday.

THE EARL OF DURHAM AT GLASGOW.

The Edinburgh *Scotsman* has the following observations in reference to the Earl of Durham's acceptance of the invitation to the Glasgow dinner.

"The Earl of Durham, we understand, has accepted the invitation to a public dinner at Glasgow; a step which seems to us ill advised. We have no doubt that many individuals have concurred in paying this tribute of respect to Lord Durham with good intentions; but it is pretty certain, that when the festive occasion arrives, the noble Earl will find himself seated among men, a large proportion of whom were the active traducers of Earl Gray's Government, and who, as they honour him not for those opinions in which he agreed with, but those in which he differed from his noble relative, will render their eulogies of him a vehicle for censuring the principles upon which Earl Grey acted, and his successors mean to act. We shall be happy to find ourselves mistaken, but we venture to anticipate, that this will prove *an Anti-Ministerial* dinner, and as such, will give joy to the Conservatives, and the other enemies of the Reformed Government."

This is in the genuine style of Sir Pertinax Macsycophant; which we thought had gone quite out of use in Scotland: there is nothing in Macklin's satirical comedy of the last century that surpasses it in servility of tone. Suppose it *should* prove an *Anti-Ministerial* dinner, what then? Are the people of Glasgow to crouch and fawn, and "bate their breath in whispering humbleness," lest the honest and open avowal of their sentiments should be offensive to the present or any other Ministry? Why, the avowed aim and object of the dinner is, to give a public manifestation of their decided preference of the conduct and opinions of Lord Durham, to those of the tortuous Chancellor.

SIR J. C. HOBHOUSE, IN THE WOODS AND FORESTS.

The Right Honourable Sir John Cam Hobhouse has been unremitting in his devotion to amusement and recreation ever since his appointment to the First Commissionership of Woods and Forests. He attended the Board twice immediately after being gazetted, and staid there half an hour one day, and about three quarters of an hour another day. He then started upon a shooting excursion, and is now surveying the "Woods and Forests," where he can find them, in Scotland. Admiral Fleming, another new appointment, hoisted his flag at Sheerness immediately after he received the command, and struck it the next morning. *He* also has been on a shooting excursion to the North, "*Scotching*, but not *killing*: however, he *has* returned. He came back two or three days ago. England is therefore safe; Fleming is at his post—*Morning Post.*

The time actually spent by Sir John Hobhouse at his office is, we dare say, not *over* stated by our caustic contemporary; but however that may be, it is evident that he cannot have been spending the last few weeks profitably for the public,

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whose servant he is. It would, no doubt, have been more becoming had he devoted the weeks he has spent in sporting to his official duties; for he at least has not the excuse for absence which some of his colleagues may plead,—namely, that of being fagged during the spring and summer. Perhaps the most industrious and attentive member of the Government is Mr. Spring Rice. His duties, indeed, during the session were very laborious; yet he has scarcelly been absent from his office at all. Admiral Fleming, we persume, might as well be in Sirlingshire as at the Nore; for when Parliament meets, he will of course be at his post in the House of Commons, and the fleet can do as well without an Admiral in the autumn as in the winter and spring.

When we read of the Ministerial peregrinations during the recess, we are always struck with the mighty distinction between public servants, and those of private persons, or companies. What clerk in the Bank of England—nay, what managing partner in any concern—could afford to absent himself from the scene of his ordinary duties year after year, for several weeks together? What would become of the lawyers' briefs, or the physician's fees, if either of these professional gentleman were to scamper off to enjoy a September's shooting in the North, leaving his clerk or assistant to attend to clients and patients? The salaried officials, of the higher grade at least, lead a very easy life, compared with that of the generality of men who pretend to be men of business.

ECCLESIASTICAL HOARDING.

We are informed, that the Bishop of Raphoe's will has been proved; and that his personal property amounts to fifty thousand pounds, exclusive of a large property in the English Funds.—*Dublin Paper.*

The enormous wealth amassed by the dignitaries of the Church, is of itself a sufficient proof of the necessity of ecclesiastical reform. It is impossible to imagine a more certain method of bringing the Establishment into discredit, than heaping wealth upon its ministers. It was the luxury and pomp of the prelates of the middle ages that forcid the Reformation. Human nature is the same now as it was four hundred years ago; and the mere change of name from Catholic to Protestant cannot alter the nature of things, or overthrow the doctrines of that religion which inculcates on its ministers humility, and contempt of worldly grandeur, as one of the things most needful to their real usefulness.

A Yorkshire paper mentions, that at the Howden horse fair, which commenced on the 25th of September, numbers of fine horses were purchased at good prices for exportation: upon which the *Morning Post* makes the following sage remark—

"We are glad to see so good an account of this great horse fair; but the continued exportation of such vast numbers of our best horses it is quite time to check, by our noblemen and gentlemen buying them, as their forefathers used to do."

The nobility and gentry of the present generation, we believe, keep quite as numerous studs as their forefathers: but suppose they were to increase their purchases and enlarge their stables—would that lessen the number of horses for exportation? On the contrary, would not the supply for all markets be increased by the augmented demand? We can see no reason why the English farmers and cattle-breeders should not supply the Continent with horses, as the Manchester spinners supply it with cotton goods. It would be matter of rejoicing if our farmers could produce more articles that are in demand abroad. But the observation of the *Post* is founded on the old-fashioned, paltry notion, that we are injured by the prosperity of our neighbours; that we should strive to monopolize every thing that is superior, not to extend benefits as widely as possible. The selfishness is, however, very unprofitable as well as unbaritable,—as the people of this country are beginning to find out.—*Spectator, Oct.* 11.

GOVERNOR DARLING'S TREATMENT OF CAPTAIN ROBISON.

We have seen a temperate but forcibly-written statement of the case of Captain ROBISON, with which the readers of the *Spectator* must be familiar, in a recent number of the *Christian Advocate.* This, we believe, is the first notice of the case which has appeared in that journal; and we trust it will have the effect of rousing the attention of those classes among whom the *Christian Advocate* circulates, to the gross oppression of which Captain ROBISON complains of having been the victim. It is difficult to speak of the conduct of Governor DARLING in proper language. Never before did a General Officer in the British service skulk from meeting such charges as Captain ROBISON has prefered against this man. He is accused of peculiar jobbing in land, atrocious tyranny in his office of Governor of New South Wales—even with murder, or something akin to it: and what steps does he take to relieve himself from these horrid imputation? Does he press for a Court maritial? does he instruct his friends in the House of Commons to accede to Captain ROBISON's reiterated calls for a committee of inquiry? has he exculpated himself at the Colonial Office? Has he, in short, taken any one step, during the five or six years that his character has been blanked with charges of the foulest nature, to clear it in the eye of his fellow soldiers and the public? He has done nothing of the kind: but—he has prefered an *indictment for a libel* against Captain ROBISON! He brought no action, moved for no criminal information; but selected a mode of proceeding which will prevent the truth of the charges against him from being either substantiated on the one hand or disproved on the other. He has chosen that mode of proceeding which Lord BROUGHAM told the Libel Committee is almost the same as acknowledging the *truth* of a libel. The inuictment remains to be tried: we fervently hope that no English jury will be found to convict a defendant brought to trial under the circumstances in which Captain ROBISON must appear.

The conduct of Lord HILL, Lord FITZROY SOMERSET, and the other influential parties at the Horse Guards in this affair, is precisely such as would be expected from men anxious to screen a powerfully-connected delinquent from the hands of justice: it is precisely such as men anxious for the honour of the Army would never have been prevailed upon, by any motives or interest, to adopt. Captain ROBISON, it must be remembered, is a gentleman of unimpeached character: he has served twenty-five years in the Army, and was selected by the Duke of YORK for the command of a company of a superior description, all the privates of which had been non-commissioned officers: his father and grandfather, four brothers, and two nephews, have been in the service: several Members of Parliament, after a careful examination of his case, declare their belief that he has been scandalously ill-used: all that he asks for is *inquiry.* But inquiry is refused him at the Horse Guards; and the chivalrous Governor DARLING proceeds against him by indictment for libel!

From the Horse Guards we turn with more satisfaction to the Colonial Office. We hold Mr. SPRING RICE pledged to do Captain ROBISON justice. When the case was brought before the House of Commons in July last, he thus expressed himself—

"It is perfectly open to Captain Robison to lay before me what statement he pleases and I promise to give it the best consideration in my power. I express no opinion one way or the other; I do not say that Captain Robison is an injured man or that General Darling has acted wrongly. *All I say is this, that if injustice has been done, it is the duty of the Colonial Secretary to remedy it.*"

This was spoken like a wise Minister, feeling his responsibility, and sensible of the immense value of the interests over which he presides.

The legal proceedings against Captain ROBISON afforded a fair pretext for suspending Parliamentary interference. But whatever the result of the trial may be, the affair will be brought before the House of Commons next session.—*Spectator, Sept.* 27.

SALARIES AND EXPENDITURE OF SCOTTISH JUDGES.

IF there is one public functionary who more than any other has a claim to a handsome remuneration for his services, it is an upright, industrious, learned, and dispassionate judge. All are agreed, probably, upon this point; but the question on which a difference exists is, what do you call a handsome remuneration? Many circumstances must be taken into account before a sufficient answer can be given to this question. The criterion seems to be, the facility or difficulty of procuring persons, in every way qualified, who are disposed to become judges at the rate of salary offered. If we find that the most eminent men at the bar are willing to relinquish their practice, in their prime of life, for seats on the bench, we may be quite sure that the inducement offered is at least ample: perhaps it is too large; for the public should pay the fair market value for a judge, and not a shilling more. On the other hand, when there is a difficulty in prevailing upon such practitioners to become judges, until they are apprehensive of their powers failing and their briefs falling off, we may conclude that the remuneration offered is too small. The question of raising or diminishing the amount of judges salaries hinges upon this. Because although it may be true, as has often been urged, that men of small practice at the bar may possess learning, acuteness, decision of character, and calm temper so requisite to make a good judge, yet the public, whose lives and property are to a great extent at his disposal, can with difficulty be brought to give him credit for the possession of qualities which have not been manifested to the world. A judge's decrees and opinions will inevitably be deficient in authority, and unsatisfactory, unless he takes his seat on the bench with a reputation ready-made. A client who goes into court backed by the opinion of Scarlett, Sugden, or Bickersteth, will be disposed to question the adverse decision of a comparatively obscure lawyer, even though it be delivered *ex cathedra*, and very probably be that which his own advocate would have given upon a fair review of *both* sides of the question at issue. Judges should not only be actually well qualified, but have the reputation of being so. Therefore it seems necessary, in fixing the amount of their salaries, to be guided by the profits of their professional business; taking into account, of course, the advantages of a permanent over an uncertain income, and making a deduction for them.

But a large salary in one place, it is urged, may be a very insufficient one in another. The cost of living must be considered: to pay a Judge the same salary in London, Edinburgh, and Dublin, is not equitable: either the public or the judges must suffer by such an arrangement; for the expense of living is very different in these cities. If, however, our theory is correct,—that the proper salary for a judge is that which will enable the state to command the services of the most able and best qualified persons,—the cost of living and the habits of society in which he moves are very secondary considerations. A tax-payer has a right to say "I care not whether this judge belongs to or associates with the higher or middle classes; whether he keeps much or little company, hires two or more footmen, drinks vulgar port or imperial tokay: all that I am anxious about is the honesty, ability, and knowledge of the man, and his reputation for possessing these qualifications. That the salary paid him is *sufficient* for all the comforts and external decencies of life, is plain, for he has quitted a lucrative practice to secure it."

The Committee of the House of Commons which sat last session to inquire into the propriety of augmenting the Salaries of the Scotch Judges, made the point we have indicated a principal one in their investigation. But they also collected a number of amusing and curious facts from the different witnesses, relative to the habits and incomes of the Scotch Judges and the Edinburgh aristocracy, which give a pleasant gossipy tone to their Report. Some of those passages are worth extracting.

The Lord President of the Court of Session has 4300*l.* per annum; the Lord Justice Clerk 4000*l.*; and the Puisne Judges of the Court of Session only 2000*l.*; but when the latter are also, as in some instances is the case, Judges of the Justiciary Court, they have an addition of 600*l.* These salaries were fixed in 1810, and have not since been altered; though where the pay of the English Judges was raised in 1825, it was understood that the Scottish Judges also should have an increase.

It would seem that the salary of 2000*l.* a year to the Puisne Judges is too small,—niggardly indeed, if the following statement of Mr. JOHN HOPE, the Dean of the Faculty, relative to the circumstances of his father, who has been Lord President for twenty-three years, be taken without some allowance.

Having no private fortune, and having lived, I may safely say, as quietly and economically as any man in that eminent station could do,—indeed, much more so than in London can well be understood of a person in such a station,—*he is now, at the close of his life, greatly in debt;* and if it had not been for the good fortune that Providence has blessed myself with, his family would be left in a very miserable condition indeed. His establishment all along has been that of a private gentleman, obliged to maintain himself in a certain condition and station, keeping a single carriage, two men-servants in the house, and a pair of horses; having a large family certainly, but none of them having by any debts or expense occasioned his debt: and he has been obliged to give up his carriage, and to live on a very limited allowance, having refused to permit me to interfere."

And yet this gentleman has had 4300*l.* a year—fully equal to 5000*l.* a year in London—to live upon in Edinburgh! Now, we may tell Mr. Hope what can be done in England for *six* thousand a year. An Earl of ancient family keeps up a handsome establishment in one of the Midland counties; he has a coach, a phaeton, and a car, with *fifteen* horses of all sorts: a butler, a valet, a house-keeper, two footmen, with number of female servants: a gamekeeper, a gardener, a coachman, and two grooms, one a lad. His children are young; but he has a very good house in London, though not a large one, in the most fashionable and expensive part of the West end. Yet all this is maintained out of six thousand a year,—about a thousand more than Lord President Hope's salary, taking the difference in the cost of living in England and Scotland into account. But then there is economy and good management in the Earl's establishment; what sort of housewife has the President's lady been? If Mr. Hope's statement were entirely to be depended upon, it is clear that the addition of a thousand a year, proposed by the Committee to be made to the salaries of the Puisne Judges, is utterly inadequate to preserve them from closing their lives "greatly in debt?" even although their establishment were unostentatious, and their habits of simple and plain. But 5500*l.* a year (in future it will be only 5000*l.*) is considered ample for an English Judge, living almost all the year in London.

The Law Officers of the Crown in Scotland seem to be the worst-paid of all public functionaries. Mr. Hope, who was Solicitor-General, made only 300*l.* a year by the office; and the salary of the Lord Advocate is only 2500*l.* a year, with Crown business never exceeding 500*l.* Then, he loses almost his whole practice at the Scottish bar; he has no retiring pension: and unless there happens to be a vacancy on the bench during his term of office (and a place on the bench, according to Mr. Hope, is very unenviable), he is turned adrift on a change of Government, with nothing but his private fortune, if he has any, to depend upon. Sir William Rae, who, from an excess of modesty distrusting his own qualifications, refused to be made a Judge, has suffered very much by holding the office of Lord Advocate. So has Mr. Jeffrey.

"He made," says Mr. Hope, "a great mistake in leaving his practice, which was very great and extensive, for the situation of Lord Advocate. He must have lost about half his income by becoming Lord Advocate. He was put to much greater expense in Scotland; to the expense and inconvenience of living in London; to a great expense in a variety of losses, which I believe fell very heavily upon him. If turned out of office by any change of Government, he could not at his time of life expect to regain any very great portion of his former practice; and if he had remained longer in office, I suspect (in addition to the loss he has already sustained) that the whole savings of his long and eminent career would have speedily disappeared: while he had no other object to look to than the chance of the situation of the head of one of the Courts, now filled, one by his junior in years, the other by a baler man: in short, he had nothing for it but to go on the bench; and so far from being enabled by being Lord Advocate the better the beer, it will only feel the more the insufficiency of his salary."

Here it shold be remembered, that some of Mr. Jeffrey's election expenses ought not to be laid to the account of the office of Lord Advocate: their magnitude arose from bad (not to say corrupt) management; his agents did not lay out his money with discretion. After all, however, we learn with pleasure that Mr. Jeffrey *retires from the bench* with a handsome private fortune.

Sir Samuel Shepherd, late Lord Chief Baron of the Exchequer, wrote a letter to the Committee, with a few particulars of the comparative expense of living in London and Edinburgh; which he says, is less in the latter city, but not much—

"Coals are rather cheaper; butcher meat much the same; fish cheaper; bread, I think, the same; beer is as dear, though not so good. For the last four years of my own residence in Scotland, my family were in England, owing to the almost constant illness of my much-lamented wife. I will tell you what was my establishment, when I resided with my family in Scotland: I had two footmen, one out of livery and one in livery, and one coachman, a carriage and a pair of horses, sometimes one saddle horse a cook-maid and a kitchenmaid, and two house-maid, their wages rather less, but not much, than in England."

He did not, and could not, support this establishment on 2000*l.* a year.

Though Judges are so badly off, the Barristers appear to be thriving. business having very much increased. Mr. JEFFREY indeed is of opinion, that there are not five gentlemen at the bar who make 5000*l.* a year, and not more than five or six who make 3000*l.*; but Mr. HOPE's income according to his own account, was last year 6200*l.*; and any leader, he asserts may make nearer 4000*l.* than 3000*l.* a year, and in many instances much more a very great number of person in second rate practice make 2000*l.*, 3500*l.*, and 3000*l.* a year.

The patronage of the Scotch Judges is not worth mentioning; and, of late years, at all events they have been too honest to barter their consciences for promotion or livings for their families. In Ireland, the case is or lately has been, different. Mr. O'Connell, in his evidence, declares that corruption of the Judges in Ireland lately prevailed to "an extraordinary extent."

"I may mention, that I remember an instance where the son of a judge, being at the bar, in four days after the term that were devoted to the revenue sittings, held seventy-four briefs, being almost the entire number of causes that were gone through during those four days. His father died in the ensuing vacation; and in two terms afterwards, he had not a single brief, in law, equity, or revenue cases."

In Ireland, each Judge has a Registrar, paid by fees, in which some Judges shared. Of course it was the interest of the partners to increase litigation and encourage actions; and the Judge always, if he could, obtain a verdict for the plaintiff. Mr. O'Connell has himself stated cases to the jury in this manner—

"The plaintiff has no case in this instance,—except that he is plaintiff in the Court of Common Pleas, where every plaintiff gets a verdict: *the air of this Court is good for plaintiffs.*"

In another case between the Government in Ireland and the "Popular interest," the Judge hesitated in his decision "until his son got a very large living in the Church." No wonder that Mr. O'Connell should tell the Committee, that the Irish had no confidence in the bench, and that it was his "solemn opinion before God, that they *ought not* to have confidence in the Irish Judges." It seems that Mr. O'Connell's practice at the Irish bar, as a perfectly independent man, was worth more than 7000*l.* a year.

These anecdotes about the Irish Courts bear indirectly on the question of the salaries of the Scotch Judges: they prove that *merely* raising those salaries will not secure the choice of good Judges, or prevent political subserviency and private baseness. The Irish Judges receive from 3700*l.* to 5100*l.* per annum, and have valuable patronage. They are in fact profusely paid; for the cost of living in Dublin is very much less than in either London or Edinburgh.

We are inclined to concur in the recommendation of the Committee, that the salary of the Scotch Puisne Judges should be raised from 2000*l.* to 3000*l.* per annum,—because there is abundant evidence to prove that the ablest men refuse the gown until they are past the prime of life, on account of the lowness of the salary—but we see no reason for augmenting the pay of the Lord President and Chief Justice Clerk by the same amount. Surely a salary equal to that which will in future be paid to English Judges (5000*l.*) is sufficient, notwithstanding President Hope has lived beyond it. It is to be remembered, that it is not the custom in the first instance to raise an advocate to the presidency of a court.

There are several other points connected with this inquiry, well worth attention. At present, however, we shall conclude with remarking, that in his zeal to magnify the labours of the Scottish Judges, Mr. Hope has relied a good deal on the ignorance of his auditors.

"The total number of pages read in the Bill Chamber annually, during four years of which I have a note, has been 35,000.....It is a very laborious and irksome duty....The pleadings are very loosely prepared, generally in a hurry, very often not prepared in the first instance by counsel." &c.

But what says Mr. O'CONNELL?

"I know practically, that nothing is more exaggerated than the supposed trouble the Judges are said to have out of Court; for although the papers are very voluminous, we, as advocates, never could do one fifth of the business, if the volumes of papers that are produced could by possibility be all material....I can say distinctly, that the reading of papers out of Court is not an essential trouble.....Speaking of equity pleadings in a brief of 100 pages, you have not the trouble of mastering more than perhaps the amount of the contents of some six, or eight, or ten, after all."

In fact, to estimate a judge's labour by the number of pages of papers laid before him, Mr. Hope must know to be quite absurd.—*Spectator, September* 27.

FRENCH REPARTEE.—This point and quickness of repartee exists amongst the lowest classes in France, quite as much as amongst the highest. I remember during a hard frost, and at a time when Monsieur de Villele was at the height of his unpopularity, and every vision of courtly tyranny was believed—seeing a poor fellow fall down with some violence, while a couple of well—dressed young men stopped to laugh at him. "De quoi riez vous Messieurs?" said the unfortunate man, rubbing his side; "dans ce pays ci les pauvres gens sont toujours par terre." What is more—the kind of wit I speak of is alive even at a nursery age. Monsieur de Segur tells us the story of a child, who being present at the opera of *Castor and Pollux*, was asked by Prince Henry of Prussia (brother of the great Frederick), who Castor and Pollux were? "They are," said the child, "two twin brothers who came out of the same egg." "But you, you came out of an egg yourself—did you not?" The boy immediately said—

"Ma naissance n'a rien de neuf,
J'ai suivi le commune règle
Mais c'est vous qui sortez d'un œuf
Car vous êtes—un aigle."

Certainly we cannot find little children quite so prompt or so poetical as Master Sebran every day; but even where there is not wit, there is frequently at this tender age a pretension to it—a desire to astonish, and to produce effect, which we do not see among our own maternal progenies. I asked two little village boys, one seven, the other eight years old, what they meant to be when they were men? Says one, "I shall be the doctor of the village." And you, what shall you be? said I to the other. "Oh! if brother's a doctor, I'll be cured. He shall kill the people, and I'll bury them—so we shall have the whole village between us."—*H. L. Bulwer's France.*

BOMBAY,—*Printed and Published for the* PROPRIETORS, *at the Gazette Press, No.* 1, *Nesbit Lane Fort by* NOWROJEE HORMUSJEE, *where all communications addressed to the* EDITOR *are received.*